MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
(2)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 2, 1948

TITLE-22
CH 2

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
in the office of the Secretary of State
of the State of California

DEC 2- 1948
At 3:45 o'clock P M.
FRANK M. JORDAN, Secretary of State
By Frank M. Jordan
Assistant Secretary of State

IN REPLY PLEASE REFER
TO:

My dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare:

DEPARTMENT BULLETIN NO. 329

These regulations were issued by the State Department of Social Welfare pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 2140 and are being filed in accordance with Section 11380 of the Government Code.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

CM Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

468:b5
Attachments

W4 1C 2140

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

November 26, 1948

DEPARTMENT BULLETIN NO. 329 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Making Adjustments in OAS Payments Effective January 1, 1949

The State Department of Social Welfare is operating on the assumption that the official declaration of the vote to be announced by the Secretary of State will show that Article XXV of the State Constitution has been adopted by the people. This Constitutional amendment becomes operative on January 1, 1949. All counties have a responsibility and a duty to continue under the present provisions of the Welfare and Institutions Code and the regulations of the Social Welfare Board until midnight December 31, 1948.

The State Department of Social Welfare hereby issues directives modifying such regulations so that the records existing in the counties on December 31, 1948 may accurately reflect conditions as they exist on that date. Because of the extraordinary work occurring during the month of December, the department requests that further investigation of responsible relatives be discontinued where it involves payment by such responsible relatives sugsequent to December 31, 1948 and, if necessary in order to complete other work, the department authorizes the discontinuance of reinvestigations during the month of December.

In order to expedite the approval of necessary adjustments in payments due January 1, 1949 county welfare departments shall prepare the adjustments. Because of a number of unresolved technicalities it is essential that each county welfare department prepare the adjustments in two ways:

1. Adjustment will be prepared only for budget cases which have not already been adjusted to the revised budget schedule (Bulletin 328) which is effective not later than January 1, 1949, and <u>without regard</u> to Article XXV.

2. Adjustment will be prepared on the basis of the $75 maximum under Article XXV <u>and</u> the revised budget schedule.

By preparing the adjustment both ways county welfare departments can avoid much last minute confusion and extra work when the technicalities previously mentioned are resolved.

The adjustments shall be prepared on individual Notices of Change, or in list form. All Notices of Change, or the list if used, shall be completed in every detail except for the actual authorization for which instructions will be issued shortly.

The procedure to be followed during the month of December in computing the OAS grants is as follows:

I. Method of Making Adjustments in OAS

Since the amount of the increase cannot be determined by reference to the previous payroll, adjustments will be made after referring to the individual case record.

The amount of the grant will be computed on the basis of information currently included in the individual case record. However, when the income is such that a redetermination of it is normally due, or there is reason to believe that the total need as currently established requires review, a recheck of both the income and need factors shall be made immediately so that the January 1 adjustment will be correct.

A. Adjustment on Basis of Revised Budget Schedule Only:
(Method of Computing adjustments on the Basis of a $65 Maximum)

All budget cases will be reviewed to determine whether adjustments are necessary as a result of the revised budget schedule for Old Age Security effective on or before January 1, 1949. This schedule adopted by the State Social Welfare Board was released to the county welfare departments on November 1, 1948 as Department Bulletin No. 328 (OAS).

If it is found that an adjustment in the grant is necessary the county welfare department shall prepare a Notice of Change, a copy of which is filed in the case record, or enter it on a list prepared in numerical order according to state number, depending upon the method chosen to report such adjustments.

If a list is used this must be prepared in accord with the attached form Temp 154, Old Age Security Increase List Effective January 1, 1949 to adjust to Revised Budget Schedule (adjustment on basis of $65 maximum).

When the list is used to report adjustments, a copy of the notification to the recipient on completed Form Ag 239, showing the total need, income, effective date etc., will serve in lieu of recording in the case narrative, when it is filed in the case record.

B. Adjustment on Basis of the $75 Maximum and the Revised Budget Schedule
(Method of Computing Adjustments on the Basis of a $75 Maximum)

1. Recipients Currently Receiving a Grant of $65 because They Have No Income from any Source (Other than Casual Income)

Aid for each recipient falling in this group shall be increased to $75. Reports of increases of $10 for recipients falling in this group shall be reported as provided in Section II.

Those few recipients who received Old Age Security in July 1943, and who are currently receiving agricultural income or income from

nursing service will not be entitled to receive an automatic increase to $75 effective January 1, 1949. Such amount of agricultural income or income from nursing service as is necessary to keep the grant at the amount received in July 1943 becomes deductible income. If the recipient received a grant of $50 in July 1943 and has income from agricultural employment or nursing service of $25 or more he will continue to receive a $50 payment.

If a $50 grant was paid in July 1943 and the agricultural or nursing service income is less than $25, increase in the grant to the extent of the difference between $75 and the income will be necessary. For example, if the recipient who received $50 Old Age Security in July 1943 has $13 agricultural income in January his grant must be increased to $62.

2. Recipients Currently Receiving a Grant of Less than $65 due to Deduction of Income from $65

There shall be a $10 increase in the grant of each such recipient so that the amount of the grant plus income will equal $75. Reports of such increases will be made to the SDSW as provided in Section II.

Such amount of agricultural income or income from nursing service as is necessary to keep the grant at the amount received in July 1943 becomes deductible income. For example, a recipient received a grant of $41 in July 1943. In December 1948, he receives $41 OAS, his $3 occupancy value and the first $21 of his or her income being deducted from $65 (deduction of $21 necessary to keep the grant at the amount received in July 1943). Effective January 1, 1949, such additional amount of this income as is necessary to keep the grant at $41 becomes deductible; for example, the deduction will include $3 for occupancy value and the first $31 of the income derived from agricultural work or nursing service.

If the recipient's income from agricultural work or nursing service is in such small amount so that all of it becomes deductible, an increase is necessary to adjust the grant so that the grant paid plus the income shall equal $75.

3. Need in Excess of $75

Appropriate adjustment in the grants of individual recipients currently receiving aid in accord with the budget method under Manual Section 155-25, and those whose total need is currently determined by adding the cost of special items of need to $65 as outlined in Manual Section 155-30, shall be made effective January 1, 1949. The method of reporting adjustments in budget and excess need cases is described in Section II.

There may be some recipients whose grants are currently determined on the basis of need in excess of $65 and who currently receive exempt income from agricultural work or nursing service. When the January 1 grant adjustments are determined, consideration must be given to that part of this income, if any, which becomes deductible income.

The difference between total need and the income represents the grant to which the recipient is entitled, except that in no case may the grant exceed $75, the maximum amount payable to an individual. Likewise, in no case may the grant plus the income exceed total need.

II. Methods of Reporting Adjustment in Payments

All adjustments in individual payments found necessary because of the statutory and/or budgetary increases are to be prepared for reporting to the State Department of Social Welfare by one of the two methods as follows:

A. Notice of Change (Form 232)

If a county elects to report adjustments by use of the Notice of Change (Form 232) it shall be used as set forth in current manual provisions governing its use. However, these forms completed in longhand will be acceptable if legible.

When the Form 232 is used to authorize the adjustment in the grant a copy of the completed Notice of Change shall be filed in the case record. The county welfare department may then dispense, if it so desires, with making any entry in the case record narrative concerning the adjustment.

B. Reporting by a List

If a county wishes, all adjustments in payments may be reported to the State Department of Social Welfare by submitting a list in numerical order according to state number, showing the correct amounts for the adjusted payments as of January 1, 1949, such lists to be submitted in duplicate. If a list is used it shall be coded by the use of one of the following letters opposite each name:

F - for flat grant cases

B - for budget cases

E - for excess need cases

and the list shall be prepared in accord with the attached form, Temp 153, Old Age Security Increase List Effective January 1, 1949 Under Article XXV of State Constitution.

The case record must reflect the January 1, 1949 adjustment. The following methods of recording in the case record are suggested:

Flat Grant Cases--When the list method is used to report the adjustment to the SDSW the recording in the case record may be made by use of a rubber stamp, as follows:

"Aid increased effective January 1, 1949 to $_____
in accord with Article XXV of the State Constitution."

Budget and Excess Need Cases--In lieu of an entry in the case narrative showing the total need, the income, the effective date of the adjustment etc., a copy of the Form Ag 239 forwarded to the recipient, and on which this information is shown, will suffice when filed in the case record.

III. Notification to Recipients

Notification of the Right of Appeal (Form Ag 239) need not be forwarded to OAS recipients who are currently receiving a grant of $65 because they have no income from any source and whose grants will be increased to $75 on January 1. Likewise, Form Ag 239 is not required to be sent to recipients whose grants are currently determined by subtracting their income from $65. For all other cases (i.e. budget and excess need cases) in which grants are changed effective January 1, 1949, the usual notification on Form 239 showing the total need, source and amount of income, effective date, etc., shall be sent.

Very sincerely yours,

C. M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

Attachments

State of California

State Department of Social Welfare

Forward two copies to
State Department of Social Welfare
616 K Street, Sacramento

Date_____

OLD AGE SECURITY INCREASE LIST EFFECTIVE JANUARY 1, 1949
UNDER ARTICLE XXV OF THE STATE CONSTITUTION

FROM_____COUNTY

The following recipients of Old Age Security as listed on pages____to____, are entitled to an increase in grant effective January 1, 1949, in order that the grant will conform to Article XXV of the State Constitution.

Signature	Title	Date

NAME	STATE NUMBER	CODE (F, B, or E)	NEW RATE	OLD RATE

(Note: List cases in numerical order according to State Number. This form to be used for first page only. Blank sheets may be used for additional pages and must be numbered.)

Form Temp 153 (Aged), December 1948

State of California

State Department of Social Welfare

Forward two copies to
State Department of Social Welfare
616 K Street, Sacramento

Date_____

OLD AGE SECURITY INCREASE LIST EFFECTIVE JANUARY 1, 1949
TO ADJUST TO REVISED BUDGET SCHEDULE
(Adjustment on Basis of $65 Maximum)

FROM_____COUNTY

The following recipients of Old Age Security as listed on pages_____to_____, are entitled to receive an increase effective January 1, 1949, in accord with State Department of Social Welfare Bulletin 328 issued November 1, 1948.

Signature	Title	Date

NAME	STATE NUMBER	NEW RATE	OLD RATE

(Note: List cases in numerical order according to State Number. This form to be used for first page only. Blank sheets may be used for additional pages and must be numbered.)

Form Temp 154 (Aged), December 1948

Certified as a [illegible]gulation (or Regulations) of the

Dept. of Soc. Welfare
(Name of State Agency)

C. M. Wollenberg
(Signature)

Director
(Title)

12-17-48
(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

WIC 2140

December 3, 1948

TITLE 22
CH-2

DEPARTMENT BULLETIN NO. 329 A (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Making Adjustments in Old Age Security Effective January 1, 1949.

Bulletin 329 issued November 26, 1948, requested that January 1, 1949, grant adjustments be prepared in two ways. We are now advised that the adjustments need to be prepared according to one method only, i.e., on the basis of the $75 maximum under Article XXV of the State Constitution (and the revised budget schedule if not already in effect). This is the method outlined in Section I, B, of Bulletin 329.

Very sincerely yours,

Charles M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3.00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By Frank M. Jordan
Assistant Secretary of State

Certified as a Re ation (or
Regulations) of the

Dept. of Soc. Welfare
(Name of State Agency)

C. M. Willenberg
(Signature)

Director
(Title)

12-17-48
(Date)

CHARLES M. WOLLENBERG
Director

Ti E-22
CH 2

EARL WARREN
Governor

WIC 3075

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 2, 1948

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3.00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By Robert V. Jordan
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 330 (Security for the Blind - ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Making Adjustments in Security for the Blind Payments Effective January 1, 1949 (Does not include APSB payments)

The State Department of Social Welfare is operating on the assumption that the official declaration of the vote to be announced by the Secretary of State will show that Article XXV of the State Constitution has been adopted by the people. This constitutional amendment becomes operative on January 1, 1949. All counties have a responsibility and a duty to continue under the present provisions of the Welfare and Institutions Code and the regulations of the Social Welfare Board until midnight December 31, 1948.

The State Department of Social Welfare hereby issues directives modifying such regulations so that the records existing in the counties on December 31, 1948, may accurately reflect conditions as they exist on that date. Because of the extraordinary work occurring during the month of December, the department requests that further investigation of responsible relatives be discontinued where it involves payment by such responsible relatives subsequent to December 31, 1948, and, if necessary in order to complete other work, the department authorizes the discontinuance of reinvestigations during the month of December.

In order to expedite the approval of necessary adjustments in payments due January 1, 1949, county welfare departments shall prepare the adjustments.

The adjustments shall be prepared on individual Notices of Change, or in list form. All Notices of Change, or the list if used, shall be completed in every detail except for the actual authorization for which instructions will be issued shortly.

The procedure to be followed during the month of December in computing the Security for the Blind grants is as follows:

1. Method of Making Adjustments in Security for the Blind (ANB)

The amount of the increase to be made can be ascertained by reference to the payroll except in those cases involving need in excess of basic continuing needs. In these so-called "excess need" cases review of the case records will be necessary to insure that proper increases are made effective January 1, 1949.

As a first step in preparing these increases, it is suggested that "excess need" cases be designated on the payroll--an increase of $5 will then be in order for all cases not so designated.

When the income is such that a redetermination of it is normally due, or there is reason to believe that the total need as currently established requires review, a recheck of both the income and need factors shall be made immediately so that the January 1 adjustment will be correct.

A. RECIPIENTS CURRENTLY RECEIVING A GRANT OF $80 BECAUSE THEY HAVE NO INCOME FROM ANY SOURCE (OTHER THAN CASUAL INCOME)

The grant for each such recipient shall be increased to $85.

B. RECIPIENTS CURRENTLY RECEIVING A GRANT OF LESS THAN $80 DUE TO DEDUCTION OF INCOME FROM $80

There shall be a $5 increase in the grant of each such recipient so that the amount of the grant plus income will equal $85.

C. NEED IN EXCESS OF $85

Appropriate adjustment in the grants of individual recipients whose total need is currently determined by adding the cost of special items of need to $80 as outlined in Manual Section 156-25; Definition and Determination of Needs in Excess of Basic Continuing Needs, shall be made effective January 1, 1949.

In those very few cases in which the total need of recipients consists entirely of the cost of nursing home or rest home care which is being met by the current grant plus continuing income, the grant will not be increased provided there is no increase in the cost of such care or decrease in the amount of continuing income.

Example A: A recipient is living in a nursing home where all needs are being met at a cost of $100 a month. The present grant is $75 a month and recipient has income of $25 a month--thus total need is being met by the present grant plus the income being received. The cost of care remains at $100 a month and the income of $25 continues, thus no increase in grant is indicated.

Example B: A recipient is living in a nursing home where all needs are being met at a cost of $110 a month. The present grant is $80 a month and a contribution of $30 a month is being made by a nephew to meet the total need. The cost of care remains at $110 a month; however, the nephew reduces his contribution to $25 a month. The grant of Security for the Blind will be increased to $85 a month.

The difference between total need and the income represents the grant to which the recipient is entitled, except that in no case may the grant exceed $85, the maximum amount payable to an individual. Likewise, in no case may the grant plus the income exceed total need.

Reports of increases for recipients falling in any of the above groups shall be reported as provided in Section II.

II. Methods of Reporting Adjustment in Payments

All adjustments in individual payments found necessary because of the statutory increase are to be prepared for reporting to the State Department of Social Welfare by one of the two methods as follows:

A. NOTICE OF CHANGE (FORM 232)

If a county elects to report adjustments by use of the Notice of Change (Form 232) it shall be used as set forth in current manual provisions governing its use. However, these forms completed in longhand will be acceptable if legible.

When the Form 232 is used to authorize the adjustment in the grant a copy of the completed Notice of Change shall be filed in the case record. The county welfare department may then dispense, if it so desires, with making any entry in the case record narrative concerning the adjustment.

B. REPORTING BY A LIST

If a county wishes, all adjustments in payments may be reported to the State Department of Social Welfare by submitting a list in numerical order according to state number, showing the correct amounts for the adjusted payments as of January 1, 1949, such lists to be submitted in duplicate. If a list is used it shall be coded by the use of one of the following letters opposite each name:

F - for flat grant cases

E - for excess need cases

and the list shall be prepared in accord with the attached form, Temp 155, Security for the Blind Increase List Effective January 1, 1949, under Article XXV of the State Constitution.

The case record must reflect the January 1, 1949, adjustment. The following methods of recording in the case record are suggested:

Flat Grant Cases--When the list method is used to report the adjustment to the SDSW the recording in the case record may be made by use of a rubber stamp, as follows:

"Aid increased effective January 1, 1949, to $_____ in accord with Article XXV of the State Constitution."

Excess Need Cases--In lieu of an entry in the case narrative showing the total need, the income, the effective date of the adjustment, etc., a copy of the Form Bl 239 forwarded to the recipient, and on which this information is shown, will suffice when filed in the case record.

If an individual Notice of Change is filed for any given case, such case shall not be included in the list (Temp 155, Security for the Blind Increase List Effective January 1, 1949, under Article XXV of the State Constitution).

[illegible] increases for participants [illegible] in any of the [illegible] provided in Section [illegible].

[illegible] Conditions Governing Payments

[illegible] payments found necessary [illegible] because of the [illegible] are to be prorated for reporting or the [illegible] reasonable [illegible] by one of the [illegible] as follows:

A. [illegible]

[illegible] 292 in [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] Section [illegible] amount [illegible] adjustment, the [illegible] of [illegible] in [illegible] as suggested:

[illegible] Grant [illegible] used [illegible] the [illegible] in [illegible] made in [illegible] [illegible]:

[illegible]

[illegible]

[illegible] of [illegible] in any of the cases [illegible] [illegible] effective date of the [illegible] [illegible] [illegible] in [illegible] will [illegible]

[illegible] of Change in [illegible] for any given [illegible] [illegible] [illegible] for the [illegible] [illegible] [illegible] Conditions.

III. Notification to Recipients

Notification of Action (Form B1 239) need not be forwarded to recipients who are currently receiving a grant of $80 because they have no income from any source and whose grants will be increased to $85 on January 1. Likewise, Form B1 239 is not required to be sent to recipients whose grants are currently determined by subtracting their income from $80. For all other cases in which grants are changed effective January 1, 1949, the usual notification on Form 239 showing the total need, source and amount of income, effective date, etc., shall be sent. A copy of revised Notification of Action (Form B1 239) is attached. A supply of mimeographed forms will be forwarded.

Very sincerely yours,

Chas M Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

State of California

State Department of Social Welfare

Forward Two copies to
State Department of Social Welfare
616 K Street, Sacramento

Date_____

SECURITY FOR THE BLIND INCREASE LIST EFFECTIVE JANUARY 1, 1949
UNDER ARTICLE XXV OF THE STATE CONSTITUTION

FROM_____COUNTY

The following recipients of Security for the Blind as listed on pages____ to____, are entitled to an increase in grant effective January 1, 1949, in order that the grant will conform to Article XXV of the State Constitution. (NOTE: Do not include APSB recipients)

Signature	Title	Date

NAME	STATE NUMBER	CODE F or E	NEW RATE	OLD RATE

(Note: List cases in numerical order according to State Number. This form to be used for first page only. Blank sheets may be used for additional pages and must be numbered.)

Form Temp 155, December 1948

State of California De tment of Social Welfare

NOTIFICATION OF ACTION--SECURITY FOR THE BLIND

_____ COUNTY

TO:

State Number_____
Date_____
District_____

In accordance with the State law, Article XXV of the State Constitution and the Rules and Regulations of the State Board of Social Welfare, action was taken on your application for Security for the Blind as stated below:

☐ Application granted effective_____in the amount of $_____Total Need $_____
Source and amount of income which was deducted_____

☐ Application denied
Reason for action_____

Your grant of Security for the Blind has been adjusted as stated below:

☐ The grant was Decreased/Increased effective_____ to $_____Total Need $_____
(Cross out one)
Source and amount of income which was deducted_____

☐ The grant was discontinued effective_____
Reason for action_____

The grant, or any change in the amount of the grant, is based on your present circumstances, and is in accord with the existing law and Article XXV of the State Constitution. The amount of the grant is subject to revision with a change in your circumstances.

If you do not understand this notice, or are dissatisfied with the action taken, contact the Welfare Department located at_____ for discussion of any question involved.

WELFARE DEPARTMENT

By_____

The applicant or recipient who is dissatisfied with the action taken on his application, or with respect to the amount of aid granted may appeal directly to the State Department of Social Welfare, 616 K Street, Sacramento. (Welfare and Institutions Code, Section 3088.5)

"Whenever any appeal to, or hearing before, the board is otherwise authorized by law, the appeal shall be made, or the hearing applied for, within one year after the order or other action complained of. The board may rehear any matter within six months after its original order or decision, on its own motion or on application of any interested party" (Welfare and Institutions Code, Section 104.5)

Certifie[illegible]s a Regulation (or Regulations) of the

Dept. of Soc. Welfare
(Name of State Agency)

C. M. Wollenberg
(Signature)

Director
(Title)

12-17-48
(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

TITLE. 22
CH 2

W+IC 2140

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 9, 1948

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3.00 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [signature]
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 331 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Authorizing OAS Security Grants Under Article XXV of the State Constitution in Counties Operating Under the Agreement Plan

The county welfare director, or such other qualified person as the board of supervisors designates, upon appointment as a Deputy Director of the State Department of Social Welfare, is the person responsible for the final action in determining eligibility of applicants or recipients, and for authorization of payments.

After the effective date of Article XXV (the 5th day after the official declaration of the vote by the Secretary of State) the Deputy Director of the State Department of Social Welfare shall affix his signature, or cause it to be affixed to every action affecting the payment of security in January 1949. This includes the Certificate of Eligibility (Form Ag 201) reporting action on an application and the Notice of Change (Form Ag 232) reporting changes in the security payment, its restoration or discontinuance.

When delivery of a warrant is withheld beyond the usual delivery date as provided in Manual Section 361-30, the Deputy Director shall authorize the withholding or suspension of the payment.

Whenever the SDSW authorizes the use of a list in lieu of individual notices of change to report actions in relation to security payments the Deputy Director's certification shall be affixed to the list as follows:

> I certify that the persons listed herein are eligible to Old Age Security, that supporting evidence is in the case record where it is open to inspection by duly authorized state and federal representatives, and I authorize payments to be made to said persons in the amounts specified.

_____ Deputy Director SDSW _____ Date

The Deputy Director's signature may be the original or a facsimile.

A. There must be a new authorization by the Deputy Director SDSW for every person who is entitled to receive a grant for January even if there may be no change in the amount of the payment. The following instructions govern the authorization of security payments to be effective January 1, 1949, and thereafter.

I. Continuing Cas

Department Bulletin 329, Method of Making Adjustments in OAS effective January 1, 1949, outlined the steps to be followed in the preparation of grant changes to become effective on January 1. That bulletin specified that all Notices of Change, or the list if used, were to be completed in every detail except the actual authorization. In order to authorize the adjustments which have been prepared it is necessary that the Deputy Director affix his signature, or cause it to be affixed, in Section V of the individual Notices of Change. Until appropriate revision of the form is available draw a line through "by the Board of Supervisors of the county of" in the statement appearing in that section, and strike "county clerk or deputy" under the signature line, substituting "deputy director SDSW."

There may be some cases in which no change in the grant is in order because the income and the current grant meets total need in excess of $75 (e. g., those cases which were increased effective December 1 to adjust to the revised budget schedule, and whose need so determined is met by the income and the current grant).

The authorization for any cases in which no change in the amount of the grant is indicated may be submitted by individual Notices of Change on which the grant to be paid effective January 1 is recorded in Section 1 of that form opposite "Change in Need and Income, No Change in Grant," or they may be submitted by list. If they are submitted by list, the cases shall be listed in numerical order according to state number, showing the amount authorized effective January 1, 1949. The Deputy Director's certification and authorization as specified on Page 1 of this bulletin shall be affixed. Duplicate copies of the list shall be submitted. The following heading for the list is suggested.

Old Age Security

_____
County

The following recipients of Old Age Security as listed on page ___ to ___ are entitled to receive a grant effective January 1, 1949, in the same amount as paid for December 1948.

Name	State Number	Code (B or E*)	~~Date~~ Rate

*B - for budget cases
E - for excess need cases

The authorization of restoration pf security effective January 1, 1949, or subsequent to that date is made on a Notice of Change, completed as above outlined. In cases in which the board of supervisors may have acted in November or December authorizing restoration effective January 1, 1949, a further authorization by the Deputy Director of the SDSW as above outlined is necessary in order that payment can be made beginning January 1. Such cases include those in which aid was discontinued for one month to adjust for overpayment, and restoration effective January 1 was authorized by the board of supervisors on the date of the action discontinuing aid. Authorization by the Deputy Director SDSW is also necessary to restore aid

effective January 1, 1949, or on a later date, to recipients whose grants were discontinued prior to January 1949 because of hospitalization and at the time aid was discontinued the board of supervisors authorized restoration upon release from the hospital.

Procedures for transferring responsibility for the payment of security to recipients who move from one part of the state to another will be released in the near future. In the meantime, the county now paying security should continue such payment unless in accord with transfer arrangements already completed, another county has agreed to assume responsibility for payment of security. In such cases the transfer arrangements already entered into shall govern the beginning date for payment of security by the second county and the date for discontinuing payment by the county now paying security.

II. New Applications

1. Security Payment Effective January 1, 1949, or Some Subsequent Date

For new applications on which the security payment is to become effective January 1, 1949, or a later date, the Certificate of Eligibility (Form Ag 201) is to be completed in the usual manner except for the actual authorization. Until the revised form is available amend the statement appearing in Section 16 (the authorization section) of the present form as follows: Strike "Passed by the Board of Supervisors of" and insert "OAS granted in." In Section 17 strike "county clerk or" and add "director SDSW" after "deputy."

The above also applies to transfer cases in which the county would have become responsible for financial participation effective January 1, 1949.

2. Security Payment Effective From a Date Prior to 1/1/49 Under Section 2183

The Deputy Director can authorize only the security payment to be made for January 1949 and later months. Retroactive payments for months prior to January 1949 shall be authorized by the board of supervisors as in the past. Therefore two authorizations are necessary as follows:

(1) The action of the board of supervisors granting aid for months prior to January 1949 under the Welfare and Institutions Code Sections 2183 will be reported in Item 16 on Form Ag 201 as in the past.

(2) The authorization of the Deputy Director of the SDSW for payments effective January 1, 1949, shall be recorded in the blank space immediately under Item 16 on the Form Ag 201 as follows:

"OAS granted this _____ day of _____ 19__ in the amount of $_____ per month, to begin _____.

_____ _____."
Deputy Director SDSW Date

This certification may be inserted by use of a rubber stamp.

A revised Certificate of Eligibility will soon be available but it makes no provision for board of supervisors' action. Thus, when the revised form becomes available, and payment of retroactive aid for months prior to January 1949 under Section 2183 is necessary, the action of the board of supervisors as now provided in Item 16 of the Certificate of Eligibility signed by the county clerk or his deputy, will have to be inserted at the bottom of the revised form.

III. Retroactive Aid for Months Preceding January 1949 Other Than Required Under Welfare and Institutions Code Section 2183.

1. Appeals

Whenever the Social Welfare Board orders payment in appeal cases for months preceding January 1949, the aid awarded shall be granted by the board of supervisors and the action reported to the SDSW as in the past.

Any security awarded for January 1949 or subsequent months shall be authorized by the Deputy Director SDSW, as described previously in this bulletin.

The above holds true for retroactive aid payments resulting from SDSW concurrence in the payment of retroactive aid to adjust appeals without decision of the Social Welfare Board (stipulated appeals).

2. Retroactive Aid for November and December 1948 Under Manual Section 361-25, Item 11.

When payment was made for November and/or December 1948 in conformity with the authorized award but the facts establish that the recipient was eligible to a larger grant in either or both of those months, retroactive aid may be paid provided it is granted by the board of supervisors and paid prior to the end of the second month following that for which the recipient was underpaid. Only the board of supervisors can grant aid in January for the months of November and/or December, or grant aid in February for December 1948. Any retroactive aid granted by the board of supervisors for the months of November or December shall be reported to the SDSW on a Notice of Change showing the board's action exactly as in the past.

The Deputy Director SDSW authorizes retroactive security payments under Manual Section 361-25, Item 11, when such payment is for January 1949 or a later month.

B. New Applications

Applicants who believe they are eligible under Article XXV of the State Constitution, including those who are within 60 days of reaching the 63rd birthday may file an application on or after the operative date of Article XXV (January 1, 1949). Their applications shall be accepted and the revised application form (Ag 200, revised December 1948) shall be used. Under no circumstances may security be granted from a date prior to the date the applicant becomes 63 years of age, or from a date prior to January 1, 1949.

There will be no federal participation on payments made to persons between 63 and 65 years of age. In order that federal participation may be claimed at the earliest possible date effort should be made to secure verification of the day and month, as well as the year of birth, for the applicant who is between 63 and 65 years of age. If the evidence establishes the applicant is 63 years of age or over, and other eligibility requirements are met, security shall not be denied or withheld pending proof of the exact month and day of birth, but effort to secure such evidence should continue.

Should an applicant request OAS at the office of the county welfare department in a county other than that in which he is living, but the office at which the request is made is nearer the applicant's home, his application may be accepted. The department accepting the application shall be responsible for the determination of eligibility and for granting security if eligibility exists. Responsibility for payment of security shall not be transferred to the county in which such recipient is living.

C. Pending Applications

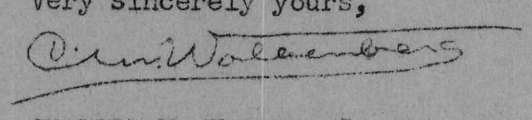
Applications signed in the past and on which investigation has not been completed shall be carried over as pending applications on January 1, 1949. The fact that investigation has not been completed before the operative date of Article XXV is not grounds for denial in December.

D. Payment of Aid

Upon receipt of Form Ag 201 or Ag 232, or of a list in lieu of Ag 232, properly certified by the Deputy Director of Social Welfare, the board of supervisors shall take such action as is necessary to authorize the auditor to issue the warrants called for by such documents. If the procedure in the county is such as to require the preparation or submission of a payroll of eligible recipients of security each month for purposes of disbursement, the Deputy Director of Social Welfare shall, if required by the county in accordance with paragraph 1 of the contract, affix the following certificate to such payroll:

> I certify that the persons appearing on this payroll are eligible to Old Age Security in the amounts specified opposite their respective names and I authorize payments to be made to said persons in such amounts.

Very sincerely yours,



CHARLES M. WOLLENBERG, Director
Department of Social Welfare

Certified as a Re[illegible]ation (or Regulations) of the

Dept. of Soc. Welfare

(Name of State Agency)

C. M. Wollenberg

(Signature)

Director

(Title)

12-17-48

(Date)

W4 IC 2140

TITLE 22 CH 2

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 9, 1948

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3.00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By _____
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 331-A (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Authorizing Old Age Security Grants Under Article XXV of the State Constitution in Counties Operating Under the Contract Plan

Please make the following correction in Bulletin 331, issued December 9, 1948. On Page 2 where column headings are set forth for submission of a list of cases reporting recipients who will receive a grant effective January 1, 1949, in the same amount as paid for December 1948:

Change the heading of the last column from "DATE" to "RATE".

Very sincerely yours,

Chas. M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

Certified a[illegible] Regulation (or Regulations) of the

Dept. of Soc. Welfare
(Name of State Agency)

A. M. Wollenberg
(Signature)

Director
(Title)

12-17-48
(Date)

CHARLES M. WOLLENBERG
Director

TITLE-22
CH 2

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

WIC 3075

December 9, 1948

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3:00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By Robert E. Jordan
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 332 (Security for the Blind - ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Authorizing Grants of Security for the Blind Under Article XXV of the State Constitution in Counties Operating Under the Agreement Plan

The county welfare director, or such other qualified person as the Board of Supervisors designates, upon appointment as a deputy director of the State Department of Social Welfare, is the person responsible for the final action in determining eligibility of applicants or recipients, and for authorization of payments.

After the effective date of Article XXV (the 5th day after the official declaration of the vote by the Secretary of State) the deputy director of the State Department of Social Welfare shall affix his signature, or cause it to be affixed to every action affecting the payment of security in January 1949. This includes the Certificate of Eligibility (Form B1 201) reporting action on an application and the Notice of Change (Form B1 232) reporting changes in the security payment, its restoration or discontinuance.

When delivery of a warrant is withheld beyond the usual delivery date as provided in Manual Sections 361-30 and 361-40 the deputy director shall authorize the withholding or suspension of the payment.

Whenever the SDSW authorizes the use of a list in lieu of individual Notices of Change to report actions in relation to security payments the deputy director's certification shall be affixed to the list as follows:

> I certify that the persons listed herein are eligible to Security for the Blind, that supporting evidence is in the case record where it is open to inspection by duly authorized state and federal representatives, and I authorize payments to be made to said persons in the amounts specified.

_____ _____
Deputy Director SDSW Date

The deputy director's signature may be the original or a facsimile.

A. Authorization for Payment

There must be a new authorization by the deputy director SDSW for every person who is entitled to receive a grant for January even if there may be no change in the amount of the payment. The following instructions govern the authorization of security payments to be effective January 1, 1949, and thereafter.

I. Continuing Cases:

Department Bulletin 330, Method of Making Adjustments in Security for the Blind payments effective January 1, 1949, outlined the steps to be followed in the preparation of grant changes to become effective on January 1. That bulletin specified that all Notices of Change, or the list if used, were to be completed in every detail except the actual authorization. In order to authorize the adjustments which have been prepared it is necessary that the Deputy State Director affix his signature, or cause it to be affixed, in Section V of the individual Notices of Change. Until appropriate revision of the Notice of Change form (Bl 232) is available draw a line through "by the Board of Supervisors of the county of" in the statement appearing in that section, and substitute for the words "county clerk or deputy" under the signature line, the title "deputy director SDSW."

There may be some cases in which no change in the grant is in order because the income and the current grant meets total need (e.g. those cases in which the total need consists entirely of the cost of nursing home or rest home care which is being met by the current grant plus continuing income). The authorization for many cases in which no change in the amount of the grant is indicated may be submitted by individual Notices of Change on which the grant to be paid effective January 1 is recorded in Section 1 of that form opposite "Change in Need and Income, No Change in Grant," or they may be submitted by list. If they are submitted by list, the cases shall be listed in numerical order according to state number, showing the amount authorized effective January 1, 1949. The deputy director's certification and authorization as specified on page 1 of this bulletin shall be affixed Duplicate copies of the list shall be submitted. The following heading for the list is suggested.

Security for the Blind

_____
County

The following recipients of Security for the Blind as listed are entitled to receive a grant effective January 1, 1949, in the same amount as paid for December 1948.

Name	State Number	Rate

The authorization of restoration of security effective January 1, 1949, or subsequent to that date is made on a Notice of Change, completed as above outlined. In cases in which the board of supervisors may have acted in November or December authorizing restoration effective January 1, 1949, a further authorization by the deputy director of the SDSW as above outlined is necessary in order that payment can be made beginning January 1. Such

cases include those in which aid was discontinued for one month to adjust for overpayment and restoration effective January 1 was authorized by the Board of Supervisors on the date of the action discontinuing aid. Authorization by the deputy director SDSW is also necessary to restore aid effective January 1, 1949, or on a later date, to recipients whose grants were discontinued prior to January 1949 because of hospitalization and at the time aid was discontinued the Board of Supervisors authorized restoration upon release from the hospital.

Procedures for transferring responsibility for the payment of security to recipients who move from one part of the state to another will be released in the near future. In the meantime, the county now paying security should continue such payment unless in accord with transfer arrangements already completed, another county has agreed to assume responsibility for payment of security. In such cases the transfer arrangements already entered into shall govern the beginning date for payment of security by the second county and the date for discontinuing payment by the county now paying security.

II. New Applications

1. Security Payment Effective January 1, 1949, or Some Subsequent Date

For new applications on which the security payment is to become effective January 1, 1949, or a later date, the Certificate of Eligibility (Form B1 201) is to be completed in the usual manner except for the actual authorization. Until a revision of this form is available amend the statement appearing in Section 12 (the authorization section) of the present form as follows: Strike "Approved by the Board of Supervisors of" and insert "Security for the Blind granted." In Section 14 strike "county clerk or" and add "director SDSW" after "deputy."

The above also applies to transfer cases in which the county would have become responsible for financial participation effective January 1, 1949.

2. Security Payment Effective From a Date Prior to 1/1/49 Under Section 3082 of the Welfare and Institutions Code

The deputy director can authorize only the security payment to be made for January 1949 and later months. Retroactive payments for months prior to January 1949 shall be authorized by the Board of Supervisors as in the past. Therefore two authorizations are necessary as follows:

(a) The action of the Board of Supervisors granting aid for months prior to January 1949 under Welfare and Institutions Code Section 3082 will be reported in Item 12 on Form B1 201 as in the past.

(b) The authorization of the deputy director of the SDSW for payments effective January 1, 1949, shall be recorded in the blank space immediately below the signature of the county clerk or deputy (Item 14) on the Form B1 201 as follows:

"Security for the Blind granted this _____ day of _____ 19__ in the amount of $_____ per month, to begin _____ _____."

_____ _____"
Deputy Director SDSW Date

This certification may be inserted by use of a rubber stamp.

A revised ificate of Eligibility will s be available but it makes no provision for board of supervisors' action. Thus when the revised form becomes available, and payment of retroactive aid for months prior to January 1949 under Section 3082 is necessary, the action of the board of supervisors as now provided in Item 12 of the Certificate of Eligibility signed by the county clerk or his deputy, will have to be inserted at the bottom of the revised form.

III. Retroactive Aid for Months Preceding January 1949 Other Than Required Under Welfare and Institutions Code Section 3082.

1. Appeals

Whenever the Social Welfare Board orders payment in appeal cases for months preceding January 1949, the aid awarded shall be granted by the Board of Supervisors and the action reported to the SDSW as in the past.

Any security awarded for January 1949 or subsequent months shall be authorized by the deputy director SDSW, as described previously in this bulletin.

The above holds true for retroactive aid payments resulting from SDSW concurrence in the payment of retroactive aid to adjust appeals without decision of the Social Welfare Board (Stipulated appeals).

2. Retroactive Aid for November and December 1948 Under Manual Section 361-25, Item 11.

When payment was made for November and/or December 1948 in conformity with the authorized award but the facts establish that the recipient was eligible to a larger grant in either or both of those months, retroactive aid may be paid provided it is granted by the board of supervisors and paid prior to the end of the second month following that for which the recipient was underpaid. Only the board of supervisors can grant aid in January for the months of November and/or December, or grant aid in February for December 1948. Any retroactive aid granted by the board of supervisors for the months of November or December shall be reported to the SDSW on a Notice of Change showing the board's action exactly as in the past.

The deputy director SDSW authorizes retroactive security payments under Manual Section 361-25, Item 11, when such payment is for January 1949 or a later month.

B. New Applications

Applicants who believe they are eligible under Article XXV of the State Constitution, including those who are within 60 days of reaching the 16th birthday may file an application on or after the operative date of Article XXV (January 1, 1949). Their applications shall be accepted and the revised application form (Bl 200, revised December 1948) shall be used. Under no circumstances may security be granted from a date prior to the date the applicant becomes 16 years of age, or from a date prior to January 1, 1949.

Should an applicant request Security for the Blind at the office of the county welfare department in a county other than that in which he is living, but the office at which the request is made is nearer the applicant's home, his application may be accepted. The department accepting the application shall be

responsible for the determination of eligibility and for granting security if eligibility exists. Responsibility for payment of security shall not be transferred to the county in which such recipient is living.

C. Pending Applications

Applications signed in the past and on which investigation has not been completed shall be carried over as pending applications on January 1, 1949. The fact that investigation has not been completed before the operative date of Article XXV is not grounds for denial in December.

D. Payment of Aid

Upon receipt of Form B1 201 or B1 232, or of a list in lieu of B1 232, properly certified by the Deputy Director of Social Welfare, the board of supervisors shall take such action as is necessary to authorize the auditor to issue the warrants called for by such documents. If the procedure in the county is such as to require the preparation or submission of a payroll of eligible recipients of security each month for purposes of disbursement, the Deputy Director of Social Welfare shall if required by the county in accordance with paragraph 1 of the contract, affix the following certificate to such payroll:

> I certify that the persons appearing on this payroll are eligible to Security for the Blind in the amounts specified opposite their respective names and I authorize payments to be made to said persons in such amounts.

Very sincerely yours,

Chas. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

Certified as a Regulation (or Regulations) of the

Dept. of Soc. Welfare

(Name of State Agency)

O. M. Wollenburg

(Signature)

Director

(Title)

12-17-48

(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

1. FLE-22
CH 2

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 13, 1948

W4 RC 3075

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948
At 3.00 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [signature]
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 334 (Security for the Blind - ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Security for the Blind (Aid to Needy Blind) - Changes in Eligibility Requirements Effective January 1, 1949

Article XXV of the Constitution of the State of California becomes operative on January 1, 1949.

Under this article all references shall be to "Security for the Blind" rather than "Aid to Needy Blind" as formerly used to designate Division 5, Part I, Chapter I of the Welfare and Institutions Code.

The following rules, regulations, and comments pertain to new provisions under Article XXV of the Constitution, and to sections of the Welfare and Institutions Code which have been amended thereby. All existing rules and regulations in conflict with them are cancelled effective January 1, 1949.

The APSB program is not affected by Article XXV of the Constitution and therefore the following rules will not affect that program.

Attached to this bulletin is a copy of Article XXV of the Constitution.

Amount of Security for the Blind

"The amount of security to which any applicant for Blind Security shall be entitled, shall be when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, eighty-five ($85) per month. If, however, in any case it is found the actual need of an applicant exceeds eighty-five ($85) per month, such applicant shall be entitled to receive Blind Security in an amount, not to exceed eighty-five ($85) per month, which when added to his income (including the value of currently used resources but excepting casual income and inconsequential resources) from all other sources, shall equal his need."

"The amount of the security provided herein shall be paid to all eligible applicants and recipients as of the first day of January 1949. If, however, the department is unable by that date to make adjustments in the payment of the security to any person eligible as of that date, the adjustment in the amount of the security shall be made retroactive to that date."

The maximum grant increased from $80 to $85 begi ng January 1, 1949. The minimum need of an individual applicant or recipient is $85 a month. The amount of security granted plus the income received shall equal at least $85 a month. If the total need exceeds $85, the difference between total need and the income represents the amount of security to be paid except that in no case may the grant exceed $85. The sum of the grant and the income shall not exceed total need.

The method of determining the grant remains unchanged. The provisions of Manual Sections 156-15, Method for Determining the Amount of Grant; 156-20, Definition of Basic Needs; 156-25, Definition and Determination of Needs in Excess of Basic Continuing Needs; 156-30, Procedure for Establishing Need in Excess of Basic Continuing Needs, remain in effect except that "$85" shall be substituted for "$80" as it appears therein.

If for any reason an applicant or recipient does not receive payment in the amount to which he is entitled as of January 1, 1949, payment shall be made retroactive to January 1, 1949.

"Payments to those qualified to receive security under this article shall be mailed or disbursed on or before the first day of each month."

Note that warrants on continuing cases must be delivered or disbursed on or before the first day of each month. The former provision that they be delivered on or as near as possible to the first business day of the month, and that warrants should not be delivered prior to the first day of each respective month, are both obsolete.

Notification to Applicant and/or Recipient

"Within ten days after the completion of the investigation of his application, every applicant shall be given an itemized report setting forth the amount of deductions, if any, and Old Age and/or Blind Security granted to him, and if his security is computed on the basis of his excess need, the budget allowances made in determining the amount of security granted to him. . ."

Within ten days after the completion of the investigation the applicant shall be notified of the disposition of his application and of his right of appeal to the State Department of Social Welfare for a fair hearing.

Every notification of denial of an application shall include a clear statement of the circumstances in the particular case which made the applicant ineligible.

The notification to the applicant for whom Security for the Blind is granted shall include a statement of the amount of security granted and the source and amount of deductions, if any. When actual need is found to be in excess of $85 a month, the notification to the applicant shall include an itemized statement of the type and amount of the needs which are in excess of the basic continuing needs. (See Manual Sections 156-20, Definition of Basic Needs and 156-25, Definition and Determination of Needs in Excess of Basic Continuing Needs.) If, after security is granted, the amount is increased or decreased, either because of a change in total need or in the amount of income, such an itemized report shall be sent to the recipient within the time limit specified.

Application for Security for the Blind

"Application for security under this article shall be made to the Department of Social Welfare at the department office nearest to the residence of the applicant. An applicant shall apply in person unless he is physically unable to do

so, in which event the application may be made by his authorized representative in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the Director of Social Welfare, and a copy of his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for security under this article."

"Application for security under this article may be made within 60 days prior to the date on which the applicant will attain the minimum age of eligibility for such security, and the application shall be promptly investigated and acted upon; but in no event shall the security, if granted, be commenced as of a date prior to the date on which the applicant attains the minimum age of eligibility therefor."

Application for Security for the Blind, including those who are within 60 days of reaching their 16th birthday, may be filed on or after the operative date of Article XXV of the Constitution (January 1, 1949).

Although application for Security for the Blind may be made within 60 days prior to the date on which the applicant attains 16 years of age, security shall not be granted prior to the day and month as well as the year when the age of 16 years has been attained.

An authorized representative who is making application for an applicant for Security for the Blind shall present written evidence that he is the authorized representative. He shall complete the form "Application by Authorized Representative of Applicant" (Form Bl 200B) in triplicate. One copy shall be given to the representative as evidence that the application was made. The authorized representative shall not sign the application (Form Bl 200) unless he is the guardian of the person or of the estate. The date on which the form "Application by Authorized Representative of Applicant" (Form Bl 200B) is signed by the authorized representative shall be considered the date on which the application is filed. After the form "Application by Authorized Representative of Applicant" has been signed a call shall be made in the home of the applicant and the signature of the applicant obtained on a completed application, (Form Bl 200). An exact copy of the completed Forms Bl 200 and 200B shall be given to the applicant. The original Form Bl 200B shall be attached to the original Form Bl 200.

Residence

Article XXV of the Constitution makes no change in the length of state residence required for eligibility for Security for the Blind. It should be noted that for those persons who became blind while not residents of California the requirement of 1 year residence in this state (of the 5 years out of the last 9 years) immediately preceding the date of application, continues in effect. Manual Sections 121-10, Blind While Not a Resident of California, and 121-15, Blind While a California Resident, remain in effect. However, Manual Section 122-05, County Residence, becomes obsolete for applications on which payment of security is to begin on January 1, 1949, or subsequent thereto. On and after January 1, 1949, county residence will no longer be a factor in determining eligibility and therefore it will not be necessary to establish the period of county residence, or that the applicant be a resident of the county in which application is made.

Procedures governing transfer of responsibility for payment of security will be issued in a subsequent bulletin.

Responsible Relatives

"No officer or employee of the State shall make any demand on any person to contribute to the support of the applicant for, or recipient of, Old Age Security or Blind Security under this article, or to agree so to contribute or shall threaten any such person with any legal action against him or with any penalty against him whatsoever."

"Nothing in this article shall prevent any applicant from exercising any rights to sue for support that he may have under any other provisions of law and security shall not be withheld unless he exercises such rights."

All provisions in the Welfare and Institutions Code and rulings in the Manual of Policies and Procedures relative to the investigation of responsible relatives of applicants for Security for the Blind to determine the ability of such relatives to contribute and to legal action against them, are obsolete. This applies to a spouse, adult children, as well as parents of minor children. No demand shall be made upon any person to contribute. The applicant shall be asked to state the amount, if any, he is receiving from relatives or other persons and such income (other than casual income) shall be considered with other income in determining the grant of Security for the Blind until and unless the recipient reports that the contribution has ceased. These provisions apply to the recipient's spouse insofar as the separate income of the spouse is concerned. If the spouse has community income, the amount of the recipient's interest therein (i.e., the amount thereof to be considered as income in determining the recipient's grant of aid) shall be determined in accord with the provisions of Manual Section 153-80.

Beginning Date of Security for the Blind

"The State Department of Social Welfare, directly or through an authorized investigator shall upon receipt of an application for security, promptly without any unnecessary delay and with all diligence make the necessary investigation. Such investigation shall be completed within 60 days after receipt of application."

1. Payment shall begin on the date the application is signed if eligibility is established and the application is granted in the same month in which the application is signed.

2. Payment shall begin, if the applicant is eligible, on the first day of the month in which security is granted when the application was signed in a previous month and 60 days or less have elapsed between the date the application was signed and the date of action on the application.

3. When the investigation is not completed within 60 days after signing of the application the investigation shall continue until completed. If the application is approved on the 61st or some subsequent date, payment shall begin as of the first of the month following the end of the 60-day period if eligibility is established as of that date. If, however, investigation established eligibility only from a date subsequent, Security for the Blind shall not be granted prior to the date on which the applicant becomes eligible.

Hospitalization

"No political subdivision shall discriminate against an applicant or recipient of security or charge said person for hospitalization or health service."

Section 3044.1 of e Welfare and Institutions Code providing for payment of subvention to counties for medical, hospital, or infirmary care extended to former recipients of ANB remains in effect. The amount which a county receives as subvention is determined by the state share of the grant the recipient was receiving when he entered the institution. The increase in maximum grant from $80 to $85 a month in no way changes the amount of subvention payable for recipients who entered the county hospital prior to January 1, 1949.

Property

Article XXV of the State Constitution provides that an applicant or recipient may own real property provided the county assessed value of such real property is not in excess of $3,500, less all encumbrances of record.

In addition, an applicant or recipient of Security for the Blind may own personal property having an actual (market) value not exceeding $1,500 less all encumbrances thereon of record. Also, certain types of personal property are specifically exempted from consideration.

There is no longer a limitation of $600 on cash, securities, and cash surrender value in insurance; neither is the ownership of personal property dependent in any way upon any plan or effort toward self-support.

A. Real Property

"No security under this article shall be granted or paid to any person who owns real property the assessed value of which, as assessed by the county assessor, less all encumbrances thereon of record, exceeds three thousand five hundred dollars ($3,500) at the time such person makes application for security."

An applicant or recipient of Security for the Blind (Aid to Needy Blind) will be eligible insofar as real property is concerned provided he does not own real property with a county assessed value, less all encumbrances thereon of record, in excess of $3,500.

"For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor."

Proceeds (cash or securities) from the voluntary sale of the applicant's home constitute real property for a period of six months from the date received. The county assessed value of the home which was sold shall be used in computing the value of the applicant's real property holdings during this six-months period. At the expiration of the six months, the unexpended amount shall be included in determining the value of the recipient's personal property holdings. This six-months exemption period does not apply to the sale of real property other than the applicant's home. Neither does it apply to the sale of real property under a conditional contract of sale (in which the vendor retains title to the property until the provisions of the contract are fulfilled) since the sale is not consumated until title passes. Proceeds from the sale of real property, other than the applicant's home, shall be considered personal property.

"For the purposes of this article only, the ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes."

Ownership of s k in a water company not appur ant to the land is no longer considered as personal property but shall be considered real property to the extent and amount necessary to obtain water for agricultural purposes.

"For the purposes of this article, estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than ten years, shall be considered real property."

"For the purposes of this article, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property."

Under these new provisions, estates for years and place of abode by the applicant or recipient of Security for the Blind (Aid to Needy Blind) shall be considered real property and included in the limitation on real property of $3,500 less any encumbrance thereon of record.

B. Personal Property

"No security under this article shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds fifteen hundred dollars ($1,500)."

"The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least 12 months prior to the date of application if the present surrender value of the policy or policies to the applicant or recipient does not exceed one thousand dollars ($1,000). Premiums paid by others on life insurance policies shall not be deemed income or resources of the applicant or recipient."

"For the purposes of this article, the interest of an applicant or recipient in an estate as heir, devisee, or legatee shall not be considered property of the applicant or recipient until it has been distributed to him and is available for expenditure or disposition by him; and the interest of a beneficiary of a trust shall not be considered to be property of the beneficiary until it has been made available for expenditure or disposition by him."

"For the purposes of this article, the term 'personal property' shall not include personal effects of the applicant or recipient. Personal effects include clothing, personal jewelry, furniture, motor vehicle, household equipment, foodstuffs and fuel, interment plots as defined in Section 7022 of the Health and Safety Code, or insurance for funeral or interment expenses or similar purposes, or contract rights connected therewith."

In making a determination as to eligibility requirements with regard to personal property holdings the following rules shall govern:

1. Any encumbrance of record shall be deducted from the actual (or market) value of personal property.

2. The following items are exempt from any consideration:

   (a) $1,000 cash surrender value in life insurance on the life of the applicant provided the policy or policies has or have been in effect at least 12 months prior to the date of application.

(b) The following personal effects of the applicant or recipient:

(1) Clothing

(2) *Personal jewelry

(3) Furniture

(4) **Motor vehicle

(5) Household equipment

(6) Foodstuffs

(7) Fuel

(8) Interment plots as defined in Section 7022 of the Health and Safety Code

(9) Insurance or contract rights for funeral or interment expenses or similar purposes,

or

Money placed in trust for funeral or interment expenses or similar purposes provided such trust does not exceed $500.

*Personal jewelry of the applicant or recipient, such as watches, wedding and engagement rings, are exempt from consideration in determining personal property holdings. Also exempt are family heirlooms and items of similar character in the possession of the applicant or recipient, or his family, for a number of years. The market value of all other jewelry shall be considered in determining personal property holdings.

**The value of a motor vehicle (i.e., automobile, autoette, truck, or other motorized vehicle used primarily as a means of transportation) is exempt from consideration in determining an applicant or recipient's personal property holdings, provided it is determined that such motor vehicle represents a bona fide need of the applicant, recipient and/or his spouse. Circumstances under which a motor vehicle may be recognized as a bona fide need may include the following:

(1) Applicant or recipient lives at a distance from shopping centers and adequate transportation via public carrier is not available.

(2) Applicant, recipient and/or spouse requires medical care and medical care facilities are not located near his home.

The value of all motor vehicles other than those which are exempt as a bona fide need shall be determined in accord with the schedule outlined in Manual Section 143-75 and taken into consideration in determining personal property holdings.

3. Such items as the following are included in the $1,500 limitation on personal property:

(a) Cash on hand, in a bank, in postal savings, or in a safe deposit box; stocks (except stock in a water company not appurtenant to the land to the extent and amount necessary to obtain water for agricultural purposes - see REAL PROPERTY); bonds; notes; mortgages; deeds of trust; livestock and fowl; farm or other implements. Exceptions to this rule are:

(1) Money or securities received by a recipient from the sale of his home under condemnation proceedings. Such money or securities shall not be considered for any purpose until the expiration of 12 months from the date of the receipt of said money or securities. So much of said money or securities as remains at the end of the one-year period shall be considered in determining the personal property holdings.

(2) Money or securities received from the sale of applicant's home, other than under condemnation proceedings. Such money or securities shall be considered real property for a period of 6 months from the date of the receipt of said money or securities. So much of said money or securities as remains at the end of the 6 months period shall be considered in determining the personal property holdings.

(b) The return, exclusive of interest, dividends, etc., resulting from a contract of sale of real or personal property;

(c) The proceeds resulting from the sale of an entire holding of livestock, poultry, etc.

(d) The net cash surrender value of any life insurance policy on the life of the applicant or recipient if the policy or policies has or have been in effect less than 12 months.

(e) The net cash surrender value of that portion of a life insurance policy or policies on the life of the applicant or recipient in effect 12 months or more which exceeds $1,000.

(f) Dividends on insurance policies left on deposit with the company and available to the applicant upon demand.

(g) The value of a commercial or other business enterprise.

(h) Proceeds received from the following sources:

(1) Proceeds from the sale of real property other than the sale of the applicant's home. (If applicant's home is sold under condemnation proceedings, the proceeds from such sale shall not be considered personal property for a period of one year from date of receipt. The proceeds from the sale of applicant's home, except under condemnation proceedings, shall not be considered personal property for a period of six months from date of receipt.)

(2) Payments received because of judgments or nonrecurring lump sum payments received because of compensation laws.

(3) ersonal property received thro inheritance, either by ill or succession.

(4) An heir's interest in an undistributed estate only when the property in the undistributed estate is in fact personal property and is available to the recipient prior to distribution.

(5) Cash received in a lump sum by the insured from the surrender or maturing of insurance policies.

(6) Cash received by the recipient as beneficiary of an insurance policy or policies carried by the deceased spouse, including Old Age and Survivors Insurance lump sum death payments received by the recipient as spouse of an insured worker.

(7) Nonrecurrent lump sum payments received by the recipient and/or his spouse from retirement or pension systems of which he or she was a former member; for example, State Employees' Retirement System, Federal Employees' Retirement Fund under the U. S. Civil Service Commission, retirement plans of private corporations, etc.

(i) The lessee's interest in lease of real property for a period of years.

(j) A trust when the property is in fact available in whole or in part. Exception: Money in trust for funeral or interment expenses or similar purposes up to $500.

The fact that the personal property is held in another state or country is not occasion for disregarding it when determining eligibility.

Restoration of Aid

Restoration is the granting of security to a former recipient after discontinuance by the same administrative unit for less than twelve months. The security is restored by use of the Notice of Change on which the reason for restoration shall be stated in full. A new application shall not be required.

When security is discontinued due to confinement in a public institution or hospital the order discontinuing security may provide that security be restored when the recipient ceases to be an inmate, without further authorization.

When security has been discontinued in one administrative unit, and the former recipient subsequently requests security in another administrative unit, a new application shall be required. It shall be investigated and acted upon as are other applications irrespective of the date of discontinuance in the former administrative unit. The administrative unit in which the request is made shall immediately request the former administrative unit, if known, to forward a statement of the circumstances which led to discontinuance and request copies of eligibility proof which is not immediately available to the administrative unit in which request for security has been made.

Very sincerely yours,

Chas. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

ARTICLE XXV

Old Age Security and Security for the Blind Law

Section 1. The purpose of this article is to increase the amount of old age security to the needy aged of this State from its present maximum of $60 per month to $75 per month, and to increase the security to the needy blind from its present maximum of $75 per month to $85 per month and other provisions designed to improve the applicant's or recipient's way of life.

Increased cost of living has made the present amount of security to the needy aged and blind of this State inadequate, and in order to provide for the protection, care, and assistance to the people of the State in need and to promote the welfare and happiness of all of the people of the State, the increase of assistance to the needy aged and needy blind as provided by this article is necessary.

It is also the purpose of this article that this assistance shall be administered promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of race, religion, or political affiliation; and that assistance shall be so administered as to encourage self respect, self reliance, and the desire to be a good citizen useful to society.

It is the purpose of this article to give security to every aged and blind person eligible under this article and who is needy, according to the provisions laid down by the Federal Government.

This article shall be cited as the Old Age Security and Security for the Blind Law, and all references to same shall be Old Age Security and Security for the Blind.

All security given under this article shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise. In case of bankruptcy the security shall not pass through any trustee or other person acting on behalf of creditors.

No officer or employee of the State shall make any demand on any person to contribute to the support of the applicant for, or recipient of, old age security or blind security under this article, or to agree so to contribute or shall threaten any such person with any legal action against him or with any penalty against him whatsoever.

Nothing in this article shall prevent any applicant from exercising any rights to sue for support that he may have under any other provisions of law and security shall not be withheld unless he exercises such rights.

As used in this article, security shall mean any grants provided to an individual under this article.

Sec. 2. The amount of security to which any applicant for old age security shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, seventy-five ($75) per month. If, however, in any case it is found the actual need of an applicant exceeds seventy-five dollars ($75) per month, such applicant shall be entitled to receive old age security in an amount, not to

exceed seventy-five ($75) per month, which when added to his income (including value of currently used resources, but excepting casual income and inconsequential resources) from all other sources shall equal his need.

The amount of security to which any applicant for blind security shall be entitled, shall be when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources eighty-five dollars ($85) per month. If, however, in any case it is found the actual need of an applicant exceeds eighty-five dollars ($85) per month, such applicant shall be entitled to receive blind security in an amount not to exceed eighty-five dollars ($85) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

Sec. 3. For the purposes of this article, income and earnings of an applicant shall not be deemed income or resources of the applicant and shall not be deducted from the amount of old age security and blind security to which the applicant would otherwise be entitled; except if the net income and earnings exceed $360 annually.

This section shall take effect if, when, and to the extent that amendments to the Federal statutes or rules and regulations of The Federal Security Administrator take effect, permitting this State to give effect to this section without thereby rendering this State ineligible to receive Federal grants in aid for old age and blind security in this State.

Sec. 4. The Director of the Department of Social Welfare shall prescribe the form of application, the manner and form of all reports, and such additional rules and regulations as are necessary for the carrying out of the provisions of this article, and not inconsistent therewith. The Director of the Department of Social Welfare shall make such reports in such form and containing such information as the Federal Security Administrator may from time to time require, and shall comply with such provisions as the Federal Security Administrator may from time to time find necessary to assure the correctness and verification of such report.

The Director of the Department of Social Welfare shall be elected by the people for a term of four years, beginning in 1950, at a salary of not less than twelve thousand dollars ($12,000) per year, plus the usual necessary expenses.

The Director of the Department of Social Welfare shall administer all of the functions now imposed upon him by law and such other duties as the Legislature may from time to time provide.

The Director of the Department of Social Welfare may appoint, with the consent of the Senate, a committee or board of not to exceed seven (7) members, to aid and assist in the program under his jurisdiction. The committee or board so appointed shall serve at the pleasure of the Director of the Department of Social Welfare. The compensation of the members shall be set by the Legislature.

Members of the committee or board shall receive necessary expenses incurred in the course of their duties.

The Director of the Department of Social Welfare shall be empowered to act for the State in any matters required by the Federal Government that have to do with his line of duties.

Until the election of the Director of the Department of Social Welfare in 1950 Mrs. Myrtle Williams, 420 Avondale, Monterey Park, shall be Director; if she declines to act, Assemblyman Gordon R. Hahn, of Los Angeles County, shall be Director; if he declines to act, Assemblyman John W. Evans, of Los Angeles County, shall be the Director.

Sec. 5. Old age security shall be granted under this article to any person who is a citizen of the United States and comes within the description in subdivision a or b and within the description in subdivision c:

(a) Is 65 years of age or over and has been a resident of the State of California for at least five years within the nine years immediately preceding his application for old age security, or

(b) Is 63 years of age or over but has not yet reached his 65th birthday, and has been a resident of the State for at least ten years within the fifteen years immediately preceding his application for old age security.

If and when and during such time as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the ages contained in this section shall be reduced to 60 years and those who come within all the descriptions hereinafter contained shall be eligible for old age security under this article.

Unless and until the Federal Government makes available payments to Group (b), total payments to said Group (b) shall be assumed by the State of California.

The residence requirements in this section shall automatically conform to any changes required by the Federal Government in order to maintain compliance with the Federal Social Security provisions.

(c) Is not, at the time of receiving such security, an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding two calendar months in duration. Any such inmate, however, may make an application for security under this article and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon while he is such an inmate, and, if he is otherwise qualified under the terms of this article, such application shall be approved. Payment of security granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted security but no such security shall be granted if such persons are cared for under a contract for a period of time exceeding one month.

Notwithstanding any provision of subdivision (c) of this section to the contrary, security shall be granted to any person who is an inmate of a home or institution maintained by any fraternal, benevolent, or nonprofit organization, if the organization has not been paid for the life care and maintenance of the person through assessment of or dues of said inmate or otherwise, whether or not the person has agreed or promised to pay for his maintenance in the event that he receives any pension, bequest, devise, or other inheritance.

If on the first day of the month a recipient of security is eligible for security though an inmate of an institution or hospital, he is entitled to receive security for the month. If a recipient of aid becomes ineligible for security due to confinement in an institution or hospital, the order suspending his security may provide that the security shall be restored to him when the recipient ceases to be an inmate without further order from the Director of the Department of Social Welfare.

Sec. 6. No security under this article shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds fifteen hundred dollars ($1500).

The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least 12 months prior to the date of application if the present surrender value of the policy or policies to the applicant or recipient does not exceed one thousand dollars ($1,000). Premiums paid by others on life insurance policies shall not be deemed income or resources of the applicant or recipient.

For the purposes of this article, the interest of an applicant or recipient in an estate as heir, devisee, or legatee shall not be considered property of the applicant or recipient until it has been distributed to him and is available for expenditure or disposition by him; and the interest of a beneficiary of a trust shall not be considered to be property of the beneficiary until it has been made available for expenditure or disposition by him.

For the purposes of this article, the term "personal property" shall not include personal effects of the applicant or recipient. Personal effects include clothing, personal jewelry, furniture, motor vehicle, household equipment, food stuffs and fuel, interment plots as defined in Section 7022 of the Health and Safety Code, or insurance for funeral or interment expenses or similar purposes, or contract rights connected therewith.

For the purposes of this article only, the ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes.

For the purposes of this article, estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years, shall be considered real property.

For the purposes of this article, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property.

No security under this article shall be granted or paid to any person who owns real property the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds three thousand five hundred dollars ($3,500) at the time such person makes application for security.

Sec. 7. Application for security under this article shall be made to the Department of Social Welfare at the department office nearest to the residence of the applicant. An applicant shall apply in person unless he is physically unable to do so, in which event the application may be made by his authorized representative in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the Director of Social Welfare, and a copy of

his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for security under this article.

Application for security under this article may be made within 60 days prior to the date on which the applicant will attain the minimum age of eligibility for such security, and the application shall be promptly investigated and acted upon; but in no event shall the security, if granted, be commenced as of a date prior to the date on which the applicant attains the minimum age of eligibility therefor.

The State Department of Social Welfare, directly or through an authorized investigator shall upon receipt of an application for security, promptly without any unnecessary delay and with all diligence make the necessary investigation. Such investigation shall be completed within 60 days after receipt of application.

Money received by a recipient of old age and/or blind security from the condemnation sale of his home shall not be deemed personal property within the provisions of this article, until the expiration of 12 months from the date of the receipt of said money.

For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor.

Sec. 8. Within 10 days after the completion of the investigation of his application, every applicant shall be given an itemized report setting forth the amount of deductions, if any, and old age and/or blind security granted to him, and if his security is computed on the basis of his excess need, the budget allowances made in determining the amount of security granted to him. The pricing established for food, clothing, incidentals and personal needs, household operations and transportation shall be based upon the current price of articles of a high standard quality.

No rule or regulation shall be adopted by the Director of the Department of Social Welfare, which results in discrimination against practitioners of any type of therapy, treatment by prayer or spiritual means or other treatment or any branch of the healing arts.

No political subdivision shall discriminate against an applicant or recipient of security or charge said person for hospitalization or health services.

Sec. 9. If this article is adopted by the people, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the first month following the fourth day after the date of the official declaration of the vote.

Until this article becomes both effective and operative the provisions of the Welfare and Institutions Code as in effect prior to the effective date of this article shall remain operative.

All provisions of the Welfare and Institutions Code not in conflict with this article shall remain operative until amended or repealed by the Legislature.

Upon the operative date the Director of the Department of Social Welfare shall succeed to and be entitled to the possession and control of all county records, books,

papers, equipment and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the blind under the Welfare and Institutions Code on that date and upon request the county shall give the Director of Social Welfare possession of such records, books, papers, equipment, and other personal property.

Payments to those qualified to receive security under this article shall be mailed or disbursed on or before the first day of each month.

The amount of security provided herein shall be paid to all eligible applicants and recipients as of the first day of January, 1949. If, however, the department is unable by that date to make adjustments in the payment of the security to any person eligible as of that date, the adjustment in the amount of the security shall be made retroactive to that date.

Sec. 10. The amount required to meet the allowances made by this article and administration thereof shall constitute a lien against all moneys in the State Treasury, and the amount required for the payment or payments of the allowances herein required is hereby appropriated; in addition there is hereby appropriated the required amount of the cost of administration.

Sec. 11. No law shall be passed prohibiting or restricting the applicants, or recipients of security under this article from securing and employing persons to represent them to secure the rights herein and hereafter established.

Sec. 12. If the Constitution is amended by the repeal of Sections 12 and 13 of Article XVI the liens, mortgages, and other encumbrances thereby released shall not be revived, and no law shall be passed providing for any such liens, mortgages, or other encumbrances as a condition for qualifying for the security herein granted.

Certified as a Regulation (or Regulations) of the

Dept. of Soc. Welfare

(Name of State Agency)

O. M. Wollenberg

(Signature)

Director

(Title)

12-17-48

(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 13, 1948

Reg IC 2148

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3:00 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By _____
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 333 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Old Age Security - Change in Eligibility Requirements Effective January 1, 1949

Article XXV of the Constitution becomes operative on January 1, 1949, and changes various eligibility provisions of the Old Age Security Law.

The following rules, regulations, and comments pertain to new sections of the law, and to sections which have been amended. All existing rules and regulations in conflict with them are cancelled effective January 1, 1949.

Attached to this bulletin is a copy of Article XXV.

Amount of Security

"The amount of security to which any applicant for Old Age Security shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, seventy-five dollars ($75) per month. If, however, in any case it is found the actual need of an applicant exceeds seventy-five dollars ($75) per month, such applicant shall be entitled to receive Old Age Security in an amount, not to exceed seventy-five dollars ($75) per month, which when added to his income (including value of resources) from all other sources shall equal his need."

"The amount of the security provided herein shall be paid to all eligible applicants and recipients as of the first day of January 1949. If, however, the department is unable by that date to make adjustments in the payment of the security to any person eligible as of that date, the adjustment in the amount of the security shall be made retroactive to that date."

The maximum grant is increased from $65 to $75 beginning January 1, 1949. The minimum need of an individual applicant or recipient is $75 a month. The amount of security granted plus the income received shall equal at least $75 a month. If the total need exceeds $75, the difference between total need and the income represents the amount of security to be paid except that in no case may the grant exceed $75. The sum of the grant and the income shall not exceed total need.

The method of determining the grant remains unchanged. The provisions of Manual Sections 155-20, Statutory Maximum Less Income, 155-25, Total Need Determination by Budget, and 155-30, Total Need--Statutory Maximum Plus Special Needs, remain in effect except that "$75" shall be substituted for "$65" as it appears therein.

If for any reason an applicant or recipient does not receive payment in the amount to which he is entitled as of January 1, 1949, payment shall be made retroactive to January 1, 1949.

"Within ten days after the completion of the investigation of his application, every applicant shall be given an itemized report setting forth the amount of deductions, if any, and Old Age and/or Blind Security granted to him, and if his security is computed on the basis of his excess need, the budget allowances made in determining the amount of security granted to him."

Within ten days after the completion of the investigation the applicant shall be notified of the disposition of his application and of his right of appeal to the State Department of Social Welfare for a fair hearing.

Every notification of denial shall include a clear statement of the circumstances in the particular case which made the applicant ineligible.

The notification to the applicant whose security is granted shall include a statement of the amount of security granted and the source and amount of deductions, if any. Like information shall be included in the notification to any recipient whose grant is increased or decreased for any reason. If the need as determined by the budget method is in excess of $75, the notification shall either include a statement of the budget allowances made in determining the grant, or be accompanied by a copy of the completed budget work sheet on which such allowances are shown. If the need is determined by adding the cost of special items of need to the statutory maximum, the notification shall include a statement of the amounts allowed for special items of need and the total.

"Payments to those qualified to receive security under this article shall be mailed or disbursed on or before the dirst day of each month."

Note that warrants on continuing cases must be delivered or disbursed on or before the first day of each month. The former provision that they be delivered on or as near as possible to the first business day of the month and that they should not be delivered prior to the first day of each respective month, are both obsolete.

Age and Residence

"Old Age Security shall be granted under this article to any person who is a citizen of the United States and comes within the description in subdivision a or b and within the description in subdivision c:

"(a) Is 65 years of age or over and has been a resident of the State of California for at least five years within the nine years immediately preceding his application for Old Age Security, or

"(b) Is 63 years of age or over but has not yet reached his 65th birthday, and has been a resident of the State for at least ten years within the fifteen years immediately preceding his application for Old Age Security."

The age requirement is reduced from 65 to 63 years. Note the longer residence requirement for those under the age of 65. There is no federal participation in payments made to persons who have not reached their 65th birthday. In order that federal participation may be claimed at the earliest possible date effort should be made to secure verification of the day and month as well as the year of birth for the applicant who is between 63 and 65 years of age. If the evidence establishes that the age of 63 has been reached security shall not be denied or withheld pending proof of the date of birth, if the person is otherwise eligible, but effort to secure such evidence should continue. If the year of birth is established but not the exact birth date, the birthday is assumed to be the last day of the year.

Residence of Applicants Who Are 65 Years of Age or Over

A person who is 65 years of age or over is eligible from standpoint of residence if he has been a resident of the state for at least five years within the past nine. The former provision requiring one full year of residence in the state immediately prior to date of application is eliminated.

Residence of Applicants Who Are 63 Years of Age and Under 65

Any person who has reached the age of 63, but is under 65 years of age, is eligible from standpoint of residence if he has been a resident of the state for at least ten within the last fifteen years. Residence during the year immediately preceding the date of application is not required.

County residence - effective January 1, 1949, only the State and Federal Government participate in the OAS grants. County residence is no longer a factor in determining financial participation, and therefore it is not necessary to establish the period of county residence. Procedures to be followed in transferring responsibility for payment of security from one county to another will be issued in a separate bulletin.

Personal Property

"No security under this article shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record exceeds fifteen hundred dollars ($1500)."

The maximum amount of personal property which an applicant or recipient may own is increased from $600 to $1500. The current market value of all items of personal property, except those items specifically exempt, shall be determined in accord with the procedures outlined in the Personal Property Chapter of the State Manual of Policies and Procedures and considered in determining the recipient's personal property holdings.

"The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least twelve months prior to the date of application if the present surrender value of the policy or policies to the applicant or recipient does not exceed one thousand dollars ($1,000). Premiums paid by others on life insurance policies shall not be deemed income or resources of the applicant or recipient."

The exemption of insurance on the life of the applicant or recipient now applies to a policy or policies the cash surrender value (rather than net maturity value) of which does not exceed $1,000 and which has or have been in effect twelve months (rather than 5 years) prior to the date of application. When the cash surrender value of such insurance policy or policies exceeds $1,000, only that portion of the cash surrender value that exceeds $1,000 shall be considered in determining the value of personal property holdings.

"For the purposes of this article, the term 'personal property' shall not include personal effects of the applicant or recipient. Personal effects include clothing, personal jewelry, furniture, motor vehicle, household equipment, food stuffs and fuel, interment plots as defined in Section 7022 of the Health and Safety Code, or insurance for funeral or interment expenses or similar purposes, or contract rights connected therewith."

"Personal effects" exempt from consideration in determining personal property holdings now include the applicant and/or recipient's

Clothing	Foodstuffs
*Personal jewelry	Fuel
Furniture	Interment plots
**Motor vehicle	All insurance for funeral or interment expenses or similar purposes or contract rights connected therewith.
Household equipment	

*Personal jewelry of the applicant or recipient, such as watches, wedding rings and engagement rings, are exempt from consideration in determining personal property holdings. Also exempt are family heirlooms and items of similar character in possession of the applicant or recipient, or his family, for a number of years. The market value of all other jewelry shall be considered in determining personal property holdings.

**The value of a motor vehicle (i.e., automobile, autoette, truck or other motorized vehicle used primarily as a means of transportation) is exempt from consideration in determining an applicant or recipient's personal property holdings, provided it is determined that such motor vehicle represents a bona fide need of the applicant, recipient and/or his spouse. Circumstances under which a motor vehicle may be recognized as a bona fide need may include the following:

(1) Applicant or recipient lives at a distance from shopping centers and adequate transportation via public carrier is not available.

(2) Applicant, recipient and/or spouse requires medical care and medical care facilities are not located near his home.

The value of all motor vehicles other than those which are exempt as a bona fide need shall be determined in accord with the schedule outlined in Manual Section 143-75 and taken into consideration in determining personal property holdings.

If the applicant or recipient does not have insurance for burial or interment expense which is exempt as a personal effect, he may have up to $500 in a burial trust and such funds shall not be considered in determining his personal property holdings. (See Manual Section 144-08, Determination of Value of Trust Funds.)

"Money received by a recipient of Old Age and/or Blind Security from the condemnation sale of his home shall not be deemed personal property within the provisions of this article until the expiration of 12 months from the date of the receipt of said money."

"For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor."

The former provision of the OAS law that proceeds received by a recipient from the sale of his home under condemnation proceedings shall not be considered in determining personal property holdings during the one-year period subsequent to the date payment is received remains in effect. (See Manual Section 146-00, Conversion of Property, paragraph 4.) However, a personal property exemption has now been extended to proceeds derived from the voluntary sale of the recipient's home (i.e., sales other than those under condemnation proceedings). Proceeds received by a recipient from the voluntary sale of his home (title passing to the buyer) shall be considered real property for 6 months after receipt. The assessed valuation of the property sold shall be used in evaluating such proceeds as real property. (See section of this bulletin entitled "Real Property.") Proceeds derived from the sale of real property, other than the recipient's home shall be considered personal property immediately upon receipt.

In addition to the usual required reinvestigation of personal property (See Manual Section 351-20, Reinvestigation of Personal Property) there shall be a redetermination of a recipient's personal property holdings 6 months after the sale of his home except when it was sold under condemnation proceedings. In such case the redetermination shall be made 12 months after the sale. Any remaining balance of proceeds from such sales shall then be considered as personal property.

Real Property

"For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor."

The following change relates to the voluntary sale of a recipient's home. Proceeds from the sale of a home (cash or securities) constitute real property for a period of 6 months from the date received by the recipient. The county assessed value of the home which was sold shall be used in computing the value of real property holdings during this 6 month period. At the expiration of the 6 months, the unexpended amount shall be included in determining the value of the recipient's personal property holdings. The exempt period of six months does not apply to the sale of real property under a conditional contract of sale (in which the vendor retains title to the property until the provisions of the contract are fulfilled) since the sale is not consumated until title passes. Neither does it apply to the sale of a recipient's home under condemnation proceedings. The present regulations, whereby the funds received from such condemnation sale represents neither personal nor real property during a one-year period, remain unchanged.

"No security under this article shall be granted or paid to any person who owns real property the assessed value of which, as assessed by the county assessor, less all encumbrances thereon of record, exceeds three thousand five hundred dollars ($3,500) at the time such person makes application for security."

The provisions of th elfare and Institutions Code, tion 2165, limiting the assessed value of the combined real property of husband and wife, less encumbrances of record, to $3500, remain in effect.

Present regulations relating to water stock, estates for years, place of abode and the amount of real property permitted a recipient are included in Article XXV but represent no change in the law.

Responsible Relative

"No officer or employee of the state shall make any demand on any person to contribute to the support of the applicant for, or recipient of, Old Age Security or Blind Security under this article, or to agree so to contribute or shall threaten any such person with any legal action against him or with any penalty against him whatsoever."

"Nothing in this article shall prevent any applicant from exercising any rights to sue for support that he may have under any other provisions of law and security shall not be withheld unless he exercises such rights."

All provisions in the present OAS law and rulings relative to the investigation of responsible relatives to determine their ability to contribute and to legal action against them are obsolete. This applies to a spouse as well as to adult children. No demand shall be made upon any person to contribute.

The applicant shall be asked to state the amount, if any, he is receiving from relatives or other persons and such income shall be considered in determining the grant of security. Relative contributions currently being received by recipients constitute income to be considered in determining the grant and shall be so considered until and unless the recipient reports that the contribution has ceased.

These provisions apply to the recipient's spouse insofar as the separate income of the spouse is concerned. If the spouse has community income, the amount of the recipient's interest therein (i.e., the amount thereof to be considered as income in determining the recipient's grant of security) shall be determined in accord with the provisions of Manual Section 153-80.

Application

"Application for security under this article may be made within 60 days prior to the date on which the applicant will attain the minimum age of eligibility for such security, and the application shall be promptly investigated and acted upon; but in no event shall the security, if granted, be commenced as of a date prior to the date on which the applicant attains the minimum age of eligibility therefor."

Application for Old Age Security may be filed on or after the operative date of Article XXV (1/1/49) when the applicant is within 60 days of reaching his 63rd birthday. Under no circumstances shall security be paid from a date prior to the date the applicant became 63 years of age, or from a date prior to January 1, 1949.

If investigation of an application is not completed within 60 days, the investigation shall continue until completed as provided in Code Section 2183, i.e., if eligibility is established the security shall be paid from the first of the month in which eligibility is established or as of the first of the month following the end of the 60-day period, whichever is earlier. (See Manual Section 611-50)

There has been no change in the provisions of Section 2183.9 which governs the beginning date of security on reapplication following discontinuance because of employment.

Restoration of Aid

Restoration is the granting of security to a former recipient after discontinuance by the same administrative unit for less than twelve months. The security is restored by use of the Notice of Change on which the reason for restoration shall be stated in full. A new application shall not be required. However, if the former recipient's grant was discontinued because of employment and request for restoration is made such request shall be in writing. (See Manual Section 215-05, Application or Restoration Following Discontinuance Due to Employment.)

When security is discontinued due to confinement in a public institution or hospital the order discontinuing security may provide that security be restored when the recipient ceases to be an inmate, without further authorization.

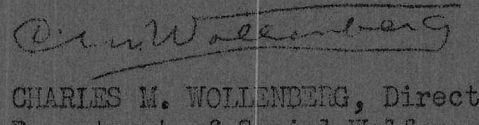
When security has been discontinued in one administrative unit, and the former recipient subsequently requests security in another administrative unit, a new application shall be required. It shall be investigated and acted upon as are other applications irrespective of the date of discontinuance in the former administrative unit. The administrative unit in which the request is made shall immediately request the former administrative unit, if known, to forward a statement of the circumstances which led to discontinuance and request copies of age, citizenship, or other eligibility proof which is not immediately available to the administrative unit in which request for security has been made.

Hospitalization

"No political subdivision shall discriminate against an applicant or recipient of security or charge said person for hospitalization or health service."

Code Section 2160.7 providing for payment of subvention to counties for medical, hospital, or infirmary care extended to former recipients of OAS remains in effect. The amount which a county receives as subvention is determined by the state share of the grant the recipient was receiving when he entered the institution. The increase in maximum grant from $65 to $75 in no way changes the amount of subvention payable for recipients who entered the county institution prior to January 1, 1949. (See Manual Section 627-25.)

Very sincerely yours,



CHARLES M. WOLLENBERG, Director
Department of Social Welfare

ARTICLE XXV

Old Age Security and Security for the Blind Law

Section 1. The purpose of this article is to increase the amount of old age security to the needy aged of this State from its present maximum of $60 per month to $75 per month, and to increase the security to the needy blind from its present maximum of $75 per month to $85 per month and other provisions designed to improve the applicant's or recipient's way of life.

Increased cost of living has made the present amount of security to the needy aged and blind of this State inadequate, and in order to provide for the protection, care, and assistance to the people of the State in need and to promote the welfare and happiness of all of the people of the State, the increase of assistance to the needy aged and needy blind as provided by this article is necessary.

It is also the purpose of this article that this assistance shall be administered promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of race, religion, or political affiliation; and that assistance shall be so administered as to encourage self respect, self reliance, and the desire to be a good citizen useful to society.

It is the purpose of this article to give security to every aged and blind person eligible under this article and who is needy, according to the provisions laid down by the Federal Government.

This article shall be cited as the Old Age Security and Security for the Blind Law, and all references to same shall be Old Age Security and Security for the Blind.

All security given under this article shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise. In case of bankruptcy the security shall not pass through any trustee or other person acting on behalf of creditors.

No officer or employee of the State shall make any demand on any person to contribute to the support of the applicant for, or recipient of, old age security or blind security under this article, or to agree so to contribute or shall threaten any such person with any legal action against him or with any penalty against him whatsoever.

Nothing in this article shall prevent any applicant from exercising any rights to sue for support that he may have under any other provisions of law and security shall not be withheld unless he exercises such rights.

As used in this article, security shall mean any grants provided to an individual under this article.

Sec. 2. The amount of security to which any applicant for old age security shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, seventy-five ($75) per month. If, however, in any case it is found the actual need of an applicant exceeds seventy-five dollars ($75) per month, such applicant shall be entitled to receive old age security in an amount, not to

exceed seventy-five ($75) per month, which when added to his income (including value of currently used resources, but excepting casual income and inconsequential resources) from all other sources shall equal his need.

The amount of security to which any applicant for blind security shall be entitled, shall be when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources eighty-five dollars ($85) per month. If, however, in any case it is found the actual need of an applicant exceeds eighty-five dollars ($85) per month, such applicant shall be entitled to receive blind security in an amount not to exceed eighty-five dollars ($85) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

Sec. 3. For the purposes of this article, income and earnings of an applicant shall not be deemed income or resources of the applicant and shall not be deducted from the amount of old age security and blind security to which the applicant would otherwise be entitled; except if the net income and earnings exceed $360 annually.

This section shall take effect if, when, and to the extent that amendments to the Federal statutes or rules and regulations of The Federal Security Administrator take effect, permitting this State to give effect to this section without thereby rendering this State ineligible to receive Federal grants in aid for old age and blind security in this State.

Sec. 4. The Director of the Department of Social Welfare shall prescribe the form of application, the manner and form of all reports, and such additional rules and regulations as are necessary for the carrying out of the provisions of this article, and not inconsistent therewith. The Director of the Department of Social Welfare shall make such reports in such form and containing such information as the Federal Security Administrator may from time to time require, and shall comply with such provisions as the Federal Security Administrator may from time to time find necessary to assure the correctness and verification of such report.

The Director of the Department of Social Welfare shall be elected by the people for a term of four years, beginning in 1950, at a salary of not less than twelve thousand dollars ($12,000) per year, plus the usual necessary expenses.

The Director of the Department of Social Welfare shall administer all of the functions now imposed upon him by law and such other duties as the Legislature may from time to time provide.

The Director of the Department of Social Welfare may appoint, with the consent of the Senate, a committee or board of not to exceed seven (7) members, to aid and assist in the program under his jurisdiction. The committee or board so appointed shall serve at the pleasure of the Director of the Department of Social Welfare. The compensation of the members shall be set by the Legislature.

Members of the committee or board shall receive necessary expenses incurred in the course of their duties.

The Director of the Department of Social Welfare shall be empowered to act for the State in any matters required by the Federal Government that have to do with his line of duties.

Until the election of the Director of the Department of Social Welfare in 1950 Mrs. Myrtle Williams, 420 Avondale, Monterey Park, shall be Director; if she declines to act, Assemblyman Gordon R. Hahn, of Los Angeles County, shall be Director; if he declines to act, Assemblyman John W. Evans, of Los Angeles County, shall be the Director.

Sec. 5. Old age security shall be granted under this article to any person who is a citizen of the United States and comes within the description in subdivision a or b and within the description in subdivision c:

(a) Is 65 years of age or over and has been a resident of the State of California for at least five years within the nine years immediately preceding his application for old age security, or

(b) Is 63 years of age or over but has not yet reached his 65th birthday, and has been a resident of the State for at least ten years within the fifteen years immediately preceding his application for old age security.

If and when and during such time as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the ages contained in this section shall be reduced to 60 years and those who come within all the descriptions hereinafter contained shall be eligible for old age security under this article.

Unless and until the Federal Government makes available payments to Group (b), total payments to said Group (b) shall be assumed by the State of California.

The residence requirements in this section shall automatically conform to any changes required by the Federal Government in order to maintain compliance with the Federal Social Security provisions.

(c) Is not, at the time of receiving such security, an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding two calendar months in duration. Any such inmate, however, may make an application for security under this article and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon while he is such an inmate, and, if he is otherwise qualified under the terms of this article, such application shall be approved. Payment of security granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted security but no such security shall be granted if such persons are cared for under a contract for a period of time exceeding one month.

Notwithstanding any provision of subdivision (c) of this section to the contrary, security shall be granted to any person who is an inmate of a home or institution maintained by any fraternal, benevolent, or nonprofit organization, if the organization has not been paid for the life care and maintenance of the person through assessment of or dues of said inmate or otherwise, whether or not the person has agreed or promised to pay for his maintenance in the event that he receives any pension, bequest, devise, or other inheritance.

If on the first day of the month a recipient of security is eligible for security though an inmate of an institution or hospital, he is entitled to receive security for the month. If a recipient of aid becomes ineligible for security due to confinement in an institution or hospital, the order suspending his security may provide that the security shall be restored to him when the recipient ceases to be an inmate without further order from the Director of the Department of Social Welfare.

Sec. 6. No security under this article shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds fifteen hundred dollars ($1500).

The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least 12 months prior to the date of application if the present surrender value of the policy or policies to the applicant or recipient does not exceed one thousand dollars ($1,000). Premiums paid by others on life insurance policies shall not be deemed income or resources of the applicant or recipient.

For the purposes of this article, the interest of an applicant or recipient in an estate as heir, devisee, or legatee shall not be considered property of the applicant or recipient until it has been distributed to him and is available for expenditure or disposition by him; and the interest of a beneficiary of a trust shall not be considered to be property of the beneficiary until it has been made available for expenditure or disposition by him.

For the purposes of this article, the term "personal property" shall not include personal effects of the applicant or recipient. Personal effects include clothing, personal jewelry, furniture, motor vehicle, household equipment, food stuffs and fuel, interment plots as defined in Section 7022 of the Health and Safety Code, or insurance for funeral or interment expenses or similar purposes, or contract rights connected therewith.

For the purposes of this article only, the ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes.

For the purposes of this article, estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years, shall be considered real property.

For the purposes of this article, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property.

No security under this article shall be granted or paid to any person who owns real property the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds three thousand five hundred dollars ($3,500) at the time such person makes application for security.

Sec. 7. Application for security under this article shall be made to the Department of Social Welfare at the department office nearest to the residence of the applicant. An applicant shall apply in person unless he is physically unable to do so, in which event the application may be made by his authorized representative in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the Director of Social Welfare, and a copy of

his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for security under this article.

Application for security under this article may be made within 60 days prior to the date on which the applicant will attain the minimum age of eligibility for such security, and the application shall be promptly investigated and acted upon; but in no event shall the security, if granted, be commenced as of a date prior to the date on which the applicant attains the minimum age of eligibility therefor.

The State Department of Social Welfare, directly or through an authorized investigator shall upon receipt of an application for security, promptly without any unnecessary delay and with all diligence make the necessary investigation. Such investigation shall be completed within 60 days after receipt of application.

Money received by a recipient of old age and/or blind security from the condemnation sale of his home shall not be deemed personal property within the provisions of this article, until the expiration of 12 months from the date of the receipt of said money.

For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor.

Sec. 8. Within 10 days after the completion of the investigation of his application, every applicant shall be given an itemized report setting forth the amount of deductions, if any, and old age and/or blind security granted to him, and if his security is computed on the basis of his excess need, the budget allowances made in determining the amount of security granted to him. The pricing established for food, clothing, incidentals and personal needs, household operations and transportation shall be based upon the current price of articles of a high standard quality.

No rule or regulation shall be adopted by the Director of the Department of Social Welfare, which results in discrimination against practitioners of any type of therapy, treatment by prayer or spiritual means or other treatment or any branch of the healing arts.

No political subdivision shall discriminate against an applicant or recipient of security or charge said person for hospitalization or health services.

Sec. 9. If this article is adopted by the people, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the first month following the fourth day after the date of the official declaration of the vote.

Until this article becomes both effective and operative the provisions of the Welfare and Institutions Code as in effect prior to the effective date of this article shall remain operative.

All provisions of the Welfare and Institutions Code not in conflict with this article shall remain operative until amended or repealed by the Legislature.

Upon the operative date the Director of the Department of Social Welfare shall succeed to and be entitled to the possession and control of all county records, books,

papers, equipment and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the blind under the Welfare and Institutions Code on that date and upon request the county shall give the Director of Social Welfare possession of such records, books, papers, equipment, and other personal property.

Payments to those qualified to receive security under this article shall be mailed or disbursed on or before the first day of each month.

The amount of security provided herein shall be paid to all eligible applicants and recipients as of the first day of January, 1949. If, however, the department is unable by that date to make adjustments in the payment of the security to any person eligible as of that date, the adjustment in the amount of the security shall be made retroactive to that date.

Sec. 10. The amount required to meet the allowances made by this article and administration thereof shall constitute a lien against all moneys in the State Treasury, and the amount required for the payment or payments of the allowances herein required is hereby appropriated; in addition there is hereby appropriated the required amount of the cost of administration.

Sec. 11. No law shall be passed prohibiting or restricting the applicants, or recipients of security under this article from securing and employing persons to represent them to secure the rights herein and hereafter established.

Sec. 12. If the Constitution is amended by the repeal of Sections 12 and 13 of Article XVI the liens, mortgages, and other encumbrances thereby released shall not be revived, and no law shall be passed providing for any such liens, mortgages, or other encumbrances as a condition for qualifying for the security herein granted.

Certified as a Reg tion (or Regulations) of the

Dept. of Soc. Welfare
(Name of State Agency)

C. M. Wollenberg
(Signature)

Director
(Title)

12-17-48
(Date)

CHARLES M. WOLLENBERG
Director

ITLE-22
CH 2

EARL WARREN
Governor

WS IC 2140,3075

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 10, 1948

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948
At 3.00 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By Robert E. Jordan
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 335 (Fiscal)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY AUDITORS
COUNTY WELFARE DEPARTMENTS

Subject: Submission of Estimates for Old Age Security and Security to the Blind in Counties Operating Under the Agreement Plan

Under the terms of the agreement between the State Department of Social Welfare and the County, an estimate of the funds required to be deposited in the County Treasury prior to January 1949 is to be submitted by the County to the State Department of Social Welfare.

The attached forms, AG 809A and Bl 809A are to be used in submitting these estimates to the State Department of Social Welfare. A supply is being sent separately to each welfare department. Three copies of each of these forms should be submitted as soon as possible, and in order to assure receipt of funds prior to January 1, 1949, they should reach the State Department of Social Welfare no later than December 20, 1948. The same forms shall be used for supplemental estimates which the County may submit from time to time, under the terms of the agreement, and for estimates for subsequent months. The estimate for any month shall be submitted to the State Department of Social Welfare by the 10th of the preceding month.

The amounts to be inserted in the attached forms are inclusive of the Federal share. No separate estimate of the Federal share is required.

A separate accountability will be maintained for the funds advanced for the period ending December 31, 1948, and for the funds advanced for the period beginning January 1, 1949.

The estimates submitted to State Department of Social Welfare shall not include any amounts for administrative expenses to be incurred under the agreement made between the State Controller and the County.

Advances for APSB and ANC will continue to be made in accordance with the forms and procedures set forth in Manual Sections 600-00 to 601-99. The January - March quarter advance for APSB will be made on the basis of the estimates already submitted by the County.

Very sincerely yours,

Chas M Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

Attachments

State of California

Forward 3 copies to
State Department of Social Welfare
Sacramento 14, California

OLD AGE SECURITY--CLAIM FOR ESTIMATED EXPENDITURES

From _____ County

For the Month of _____, 1949

1.	No. of recipients	_____
2.	Amount of Security Payments	$_____
3.	Administrative Expense	$_____
4.	Total amount requested by County (Item 2, plus Item 3)	$_____

State of California)
) ss
County of _____)

_____, being duly sworn, desposes and says: That he is the county official responsible for the performance of the ministerial functions referred to in that certain agreement existing between the State Department of Social Welfare and this County relating to the administration of Old Age Security; that the above is a true and correct statement of the estimated expenditures to be made under the provisions of Article XXV of the Constitution and the operative provisions of the Welfare and Institutions Code; that these estimated expenditures do not include administrative costs under the agreement between the State Controller and this County relating to security payments.

Subscribed and sworn to before me this
_____ day of _____, 194_.

_____

Title _____

_____
SIGNATURE OF DIRECTOR OR OFFICIAL IN CHARGE

Title _____

Approved for the Board of Supervisors

_____
CHAIRMAN, BOARD OF SUPERVISORS

For State Use Only

ADVANCE APPROVED--STATE
DEPARTMENT OF SOCIAL WELFARE

Name _____

_____ _____
Title Date

Form AG 809A, December 1948

State of California

Fo rd 3 copies to
State Department of Social Welfare
Sacramento 14, California

SECURITY FOR THE BLIND--CLAIM FOR ESTIMATED EXPENDITURES

From _____ County

For the Month of _____, 1949

1. No. of Recipients	_____
2. Amount of Security Payments	$_____
3. Administrative Expense	$_____
4. Total amount requested by County (Item 2, plus Item 3)	$_____

State of California)
) ss
County of _____)

_____, being duly sworn, deposes and says: That he is the county official responsible for the performance of the ministerial functions referred to in that certain agreement existing between the State Department of Social Welfare and this County relating to the administration of Security for the Blind; that the above is a true and correct statement of the estimated expenditures to be made under the provisions of Article XXV of the Constitution and the operative provisions of the Welfare and Institutions Code; that these estimated expenditures do not include administrative costs under the agreement between the State Controller and this County relating to security payments.

Subscribed and sworn to before me this
_____day of _____, 194__.

_____
SIGNATURE OF DIRECTOR OR OFFICIAL IN CHARGE

_____ Title _____

Title _____

Approved for the Board of Supervisors

_____
CHAIRMAN, BOARD OF SUPERVISORS

For State Use Only	
ADVANCE APPROVED--STATE DEPARTMENT OF SOCIAL WELFARE	
Name	
Title	Date

Form El 609A, December 1948

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

TITLE-22
CH-2

Sacramento 14
December 17, 1948

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948

At 3.00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By Robert T. Jordan
Assistant Secretary of State

IN REPLY PLEASE REFER TO:

My dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare:

DEPARTMENT BULLETIN NO. 329 A
DEPARTMENT BULLETIN NO. 330
DEPARTMENT BULLETIN NO. 331
DEPARTMENT BULLETIN NO. 331 A
DEPARTMENT BULLETIN NO. 332
DEPARTMENT BULLETIN NO. 333
DEPARTMENT BULLETIN NO. 334
DEPARTMENT BULLETIN NO. 335
DEPARTMENT BULLETIN NO. 336

These regulations were issued by the State Department of Social Welfare pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 2140 and are being filed in accordance with Section 11380 of the Government Code.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

C. M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

468:b65
Attachments

Certified as [redacted]egulation (or Regulations) of the

Dept. of Soc. Welfare

(Name of State Agency)

P. M. Wollenberg

(Signature)

Director

(Title)

12-17-48

(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

WIC 2140, 3075

TITLE 22 CH 2

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 13, 1948

FILED
in the office of the Secretary of State
of the State of California

DEC 17 1948
At 3.00 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [signature]
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 336 (Fiscal)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Method of Reporting Aged and Blind Security Payments under Article XXV of the State Constitution in Counties Operating Under the Agreement Plan

OAS, Security for the Blind

Revised claim forms have been prepared for reporting security payments made by counties on or after January 1, 1949, in accordance with the agreement between the state and the counties. These revised claim forms shall be used only for reporting payments for January 1949 and subsequent months. Supplemental claims for months prior to January 1949 must be filed on the claim forms in use during that prior period. Since it is essential that the accounting for the receipt and disbursement of funds under the agreement be kept entirely separate from the accounting for the receipt and disbursement of funds for the period prior to January 1, 1949, it may be necessary that a county file two aged and/or blind security claims during the month of January 1949 and subsequent months: (a) one claim to cover current and supplemental payments for months subsequent to December 31, 1948, filed on the forms revised January 1, 1949; (b) a second claim to cover supplemental payments for months prior to January 1, 1949, filed on the forms that were effective during the period covered by the payment. This applies to the reporting of cancelled warrants and cash repayments as well. Hence, a county may have to file a debit voucher claim for the period prior to January 1, 1949, in order to report the cancellation of a warrant issued in December 1948 or some prior month or to report a cash repayment applicable to that prior period.

Samples of the forms to be used for reporting payments for periods subsequent to December 31, 1948, are included in this bulletin. These forms and the major changes thereon are:

1. Aid Affidavit, Form Ag/Bl 800

   Revised to provide for the computation of the federal and state shares thus eliminating need for Form Ag and Bl 802, Recapitulation Sheet.

2. Payroll, Form AB 801

   Not revised. For payments subsequent to January 1, 1949, cases which have non-federal status under the 63-64 year age provisions of Article XXV should be indicated by (*) while all other cases having non-federal status should be indicated by (**).

3. Recapitulation Sheet, Form Ag/Bl 802

This form has been eliminated as stated above

4. Report of Adjustments/Collections, Form ABC 803

No Change

5. Schedule of Cancelled Warrants, Form ABC 804

No Change

APSB

Since the APSB program remains a county administered program under the new law, it will not be possible to continue reporting Security for the Blind and APSB payments on the same claim. Accordingly, an affidavit, Form APSB 800, and a payroll, Form APSB 801, have been prepared for use in reporting APSB assistance payments for January 1949 and subsequent months. The current Forms ABC 803 and 804 shall be used for reporting adjustments and cancelled warrants. Samples of the new claim forms are included in this bulletin.

Very sincerely yours,

Chas. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

State of California

AID AFFIDAVIT

OLD AGE SECURITY

Forward Two Copies to the
State Department of Social Welfare
Sacramento 14, California

FROM _____ COUNTY

MONTH OF _____ , 19___, _____ FISCAL YEAR
(State Use Only)

AMOUNT DUE FROM FEDERAL FUNDS FOR AID	Current Month Column A	Prior Months Column B
1. Total aid paid under OAS Law (Total Col. 3, Form AB 801). Number of aged persons: Current Month_____; Prior Months_____	$_____	$_____
2. Amount paid to aged persons ineligible for federal aid (Total items marked (*) and (**) Form AB 801). Number of aged persons: Current Month_____; Prior Months_____	$_____	$_____
3. Amount paid to aged persons eligible for federal aid (Item 1 minus Item 2). Number of aged persons: Current Month_____; Prior Months_____	$_____	$_____
4. Total aid in excess of federal basis paid to aged persons eligible for federal aid (Total Col. 4, Form AB 801)	$_____	$_____
5. Basis for federal participation (Item 3, minus Item 4)	$_____	$_____
6. Amount due from federal funds		
a. 1/2 of Item 5 $_____		$_____
b. Plus: $5.00 x number of eligible persons, Item 3 Current Month_____; Prior Month_____ $_____		$_____
c. Total of Items 6a and 6b	$_____	$_____
7. Federal share of adjustments (Total Col. 7, Form ABC 803) $_____		
8. Federal share of cancelled warrants for prior months (Total Col. 10, Form ABC 804) $_____		
9. Federal share of collections (Total Col. 7, Form ABC 803) $_____		
10. Total of Items 7, 8, and 9	$_____	
11. Net amount due from federal funds for aid (Item 6c minus Item 10)	$_____	
12. Total amount due from federal funds for aid (Item 11, Col. A, plus Item 6c, Col. B)	$	

AMOUNT DUE FROM STATE FUNDS FOR AID		
13. Total aid paid under OAS Law (Item 1)	$_____	$_____
14. Less: Amount due from federal funds for aid (Item 6c)	$_____	$_____
15. Amount due from state funds for aid (Item 13 minus Item 14)	$_____	$_____
16. State share of adjustments (Total Col. 8, Form ABC 803) $_____		
17. State share of cancelled warrants for prior months (Total Col. 11, Form ABC 804) $_____		
18. State share of collections (Total Col. 8, Form ABC 803) $_____		
19. Total of Items 16, 17 and 18	$_____	
20. Net amount due from state funds for aid (Item 15 minus Item 19)	$_____	
21. Total amount due from state funds for aid (Item 20, Col. A, plus Item 15, Col. B)	$	

AMOUNTS FOR REPORTING PURPOSES ONLY		Approval Stamp
22. Total adjustments (Total Col. 6, Form ABC 803)	$_____	
23. Total cancelled warrants for prior months (Total Col. 7, Form ABC 804)	$_____	
24. Total collections (Total Col. 6, Form ABC 803)	$_____	

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

I, _____, being duly sworn, depose and say: That I am the county official responsible for the performance of the ministerial functions referred to in that certain agreement existing between the State of California and this County relating to the administration of Old Age Security and that all provisions of said agreement and of the laws, rules, and regulations referred to therein have been complied with to the best of my knowledge and belief.

Subscribed and sworn to before me this

_____ day of _____ 19_____.

_____ Signature of Welfare Director or Official in Charge

Title _____ Title _____

I HEREBY CERTIFY, That warrants covering all amounts due under Article XXV of the Constitution, have been issued and charged to funds heretofore advanced by the State of California in accordance with that certain agreement existing between the State of California and this County relative to the administration of Old Age Security.

_____ Signature of County Auditor

Form Ag 800, Revised January 1949
Affidavit to Accompany Monthly Payroll
(Form AB 801)

CREDIT VOUCHER CLAIM--SECURITY

State of California

AID AFFIDAVIT

SECURITY FOR THE BLIND

Forward TWO copies to the
State Department of Social Welfare
Sacramento 14, California

FROM _____ COUNTY

MONTH OF _____, 19__, _____ FISCAL YEAR
(State Use Only)

AMOUNT DUE FROM FEDERAL FUNDS FOR AID	Current Month Column A	Prior Months Column B
1. Total aid paid under SB Law (Total Col. 3, Form AB 801). Number of blind persons: current month _____; prior months _____	$	$
2. Amount paid to blind persons ineligible for federal aid (Total items marked (**) Form AB 801). Number of blind persons: current month _____; prior months _____	$	$
3. Amount paid to blind persons eligible for federal aid (Item 1 minus Item 2). Number of blind persons: current month _____; prior months _____	$	$
4. Total aid in excess of federal basis paid to blind persons eligible for federal aid (Total Col. 4, Form AB 801)	$	$
5. Basis for federal participation (Item 3, minus Item 4)	$	$
6. Amount due from federal funds		
a. 1/2 of Item 5	$	$
b. Plus: $5.00 x number of eligible persons, Item 3 current month _____; prior months _____	$	$
c. Total of Items 6a and 6b	$	$
7. Federal share of adjustments (Total Col. 7, Form ABC 803)	$	
8. Federal share of cancelled warrants for prior months (Total Col. 10, Form ABC 804)	$	
9. Federal share of collections (Total Col. 7, Form ABC 803)	$	
10. Total of Items 7, 8, and 9	$	
11. Net amount due from federal funds for aid (Item 6c minus Item 10)	$	
12. Total amount due from federal funds for aid (Item 11, Col. A, plus Item 6c, Col. B)	$	
AMOUNT DUE FROM STATE FUNDS FOR AID		
13. Total aid paid under SB law (Item 1)	$	$
14. Less: Amount due from federal funds for aid (Item 6c)	$	$
15. Amount due from state funds for aid (Item 13 minus Item 14)	$	$
16. State share of adjustments (Total Col. 8, Form ABC 803)	$	
17. State share of cancelled warrants for prior months (Total Col. 11, Form ABC 804)	$	
18. State share of collections (Total Col. 8, Form ABC 803)	$	
19. Total of Items 16, 17, and 18	$	
20. Net amount due from state funds for aid (Item 15 minus Item 19)	$	
21. Total amount due from state funds for aid (Item 20, Col. A, plus Item 15, Col. B)	$	

AMOUNTS FOR REPORTING PURPOSES ONLY

Approval Stamp

22. Total adjustments (Total Col. 6, Form ABC 803). $_____

23. Total cancelled warrants for prior months (Total Col. 7, Form ABC 804). $_____

24. Total collections (Total Col. 6, Form ABC 803). $_____

STATE OF CALIFORNIA)
) SS.
COUNTY OF _____)

I, _____, being duly sworn, depose and say: That I am the county official responsible for the performance of the ministerial functions referred to in that certain agreement existing between the State of California and this county relating to the administration of Security for the Blind and that all provisions of said agreement and of the laws, rules, and regulations referred to therein have been complied with to the best of my knowledge and belief.

Subscribed and sworn to before me this

_____ day of _____ 19____

_____
Signature of Welfare Director or Official in Charge

_____
Title _____

Title _____

I HEREBY CERTIFY, that warrants covering all amounts due under Article XXV of the Constitution have been issued and charged to funds heretofore advanced by the State of California in accordance with that certain agreement existing between the State of California and this county relative to the administration of Security for the Blind.

_____
Signature of County Auditor

Form B1 800, Revised January 1949
Affidavit to Accompany Monthly Payroll (Form AB 801)

CREDIT VOUCHER CLAIM—SEC

State of California

AID AFFIDAVIT

Forward Two Copies to the
State Department of Social Welfare
Sacramento 14, California

FROM _____ COUNTY
For Aid to Partially Self-Supporting Blind

MONTH OF _____, 19___, _____ FISCAL YEAR
(State Use Only)

AMOUNT DUE FROM STATE FUNDS FOR AID		Current Month Column A	Prior Months Column B
1. Total aid paid under APSB Law (Total Col. 3, Form APSB 801)		$_____	$_____
2. Amount paid to persons not having required County residence (Total Col. 4, Form APSB 801)		$_____	$_____
3. Amount paid to persons having required County residence (Item 1 minus Item 2)		$_____	$_____
4. Amount due from State funds			
a. 5/6 of Item 3	$_____		$_____
b. Plus total non-county cases (Item 2)	$_____		$_____
c. Total		$_____	$_____
5. State share of adjustments (Total Col. 8, Form ABC 803)	$_____		
6. State share of cancelled warrants for previous months (Total Col. 11, Form ABC 804)	$_____		
7. State share of collections (Total Col. 8, Form ABC 803)	$_____		
8. Total of items 5, 6, and 7		$_____	
9. Net amount due from State funds for aid. (Item 4c minus Item 8)		$_____	
10. Total amount due from State funds for aid. (Item 9, Column A, plus Item 4c, Column B)		$	

AMOUNTS FOR REPORTING PURPOSES ONLY		Approval Stamp
11. Total adjustments (Total Col. 6, Form ABC 803)	$_____	
12. Total cancelled warrants for prior months (Total Col. 7, Form ABC 804)	$_____	
13. Total collections (Total Col. 6, Form ABC 803)	$_____	

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

I, _____, being duly sworn, depose and say: That I am the county official responsible for the administration of Aid to the Partially Self-Supporting Blind in and for the said county; that all provisions of Chapter 3 of Part 1 of Division 5 of the Welfare and Institutions Code, and amendments thereto, have been complied with to the best of my knowledge and belief.

Subscribed and sworn to before me this _____ day

of _____, 19____

_____

Title _____

_____
Signature of Welfare Director or Official in Charge

Title _____

Approved _____
Chairman, Board of Supervisors

I HEREBY CERTIFY, That warrants covering all amounts due under the laws have been issued and charged to funds for aid in accordance with the Partially Self-Supporting Blind Laws, Chapter 3 of Part 1 of Division 5 of the Welfare and Institutions Code, and amendments thereto.

_____
Signature of County Auditor

Form APSB 800, January 1949
Affidavit to Accompany Monthly Payroll
(Form APSB 801)

CREDIT VOUCHER CLAIM--AID

State of California

Forward TWO Copies to
State Department of Social Welfare
Sacramento 14, California

CLAIM FOR STATE AID FOR PARTIALLY SELF-SUPPORTING BLIND

PAID BY_____COUNTY

MONTH OF_____ 19___

Warrants Dated

_____

1 Name Family	Given	2 State Number	3 Total Aid Paid	4 Amount for Non-County Cases	5 Remarks	6 Warrant Number

Total Number of Persons on this Page_____

Form APSB 801, December 1948
Payroll to Accompany Affidavit
Form APSB 800

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
(2)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 23, 1948

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

TITLE 22
CH 2

IN REPLY PLEASE REFER
TO:

My dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare:

DEPARTMENT BULLETIN NO. 337

These regulations were issued by the State Department of of Social Welfare pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 2140 and 3075 are being filed in accordance with Section 11380 of the Government Code.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

C M Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

468:b5
Attachments

FILED
in the office of the Secretary of State
of the State of California

DEC 27 1948

At 3 o'clock P M.

FRANK M. JORDAN, Secretary of State

By Robert T. Jordan
Assistant Secretary of State

TITLE 22 - CH 2

Certi___d as a Regulation (or Regulations) of the

Dept of Social Welfare

(Name of State Agency)

C M Wollenberg

(Signature)

Director

(Title)

12-23-48

(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

W+ IC 2140, 3075

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 22, 1948

DEPARTMENT BULLETIN NO. 337 (OAS, Security for the Blind)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Transfer Procedures--Old Age Security and Security for the Blind

Effective January 1, 1949, county residence is no longer a factor in determining financial participation in Old Age Security and Security for the Blind payments, and therefore it is not necessary to establish the period of county residence.

When a recipient moves from one county to another provision must be made for the transfer of responsibility for payment of security at the earliest possible date.

Exception:

1. When a recipient expects to be gone for a short period, such as a visit, responsibility for payment of security is not transferred.

2. If a recipient moves to another county but the welfare department in the county through which he is currently receiving security is nearer his home, responsibility for payment of security need not be transferred unless the recipient requests that such transfer be made. (If an applicant requests Old Age Security or Security for the Blind at the welfare department in a county other than that in which he is living but the office at which the request is made is nearer the applicant's home, his application may be accepted. If accepted the department accepting the application shall be responsible for the determination of eligibility and for granting security if eligibility exists. Responsibility for payment of security to such recipients shall not be transferred to the county in which the applicant is living.)

The transfer of responsibility for payment of security must be made in such manner that there is neither delay nor interruption in the continued payment to eligible recipients nor duplication of payments. In any case in which overpayment has occurred and a grant adjustment involving a decrease, or a discontinuance of security for one month, is necessary to adjust for the overpayment the appropriate adjustment shall be completed before the case is transferred to another county.

Example: A recipient of OAS in County A, having no income and receiving a $75 grant, moves to County B on 2/27/49. County A learns of the residence change on 3/24/49 and immediately initiates transfer arrangements with County B. County B interviews the recipient

on 4/11/49 and learns that since 3/1/49 he has been earning his board and room valued at $40 a month, which income will continue. County B also determines that his need in March and April was $85 a month and with income of $40 he was eligible to receive an OAS grant of $45. County B immediately notifies County A and as a partial adjustment for the March and April overpayments County A discontinues security for the month of May and restores security 6/1/49, thus completing the grant adjustment. The two counties then agree on the earliest possible date when responsibility for payment of security can be assumed by County B.

Procedures for transferring responsibility for payment of security from one county to another shall be as follows:

I. Pending Transfers

A. Transfer Arrangements Effective on or Before 4/1/49

If transfer arrangements have already been completed and the effective date is on or before 4/1/49, those arrangements shall govern the date of discontinuance of security by the first county and the date of granting security by the second county. The second county shall determine current eligibility and if eligible authorize payment on the effective date of the transfer. The Certificate of Verification of Eligibility, Form Ag or Bl 201, shall be completed in the same manner as for any new application and be forwarded to the SDSW not later than 15 days after security is authorized by the deputy director of the SDSW. (See Dept. Buls. 331 and 332, II, Item 1.) It is not necessary to secure a new application in the second county.

B. Transfer Arrangements Effective 5/1/49 or Thereafter and Incomplete Transfer Arrangements

If transfer arrangements have been completed and the effective date is 5/1/49 or thereafter, the counties concerned shall agree upon a new effective date for the transfer in lieu of the effective date previously agreed upon. The date agreed upon for assumption of responsibility for payment of security by the second county shall be the earliest date possible but in no event shall there be lag or overlapping between the date of discontinuance by the first county and the date of beginning security in the second county.

If transfer arrangements have been initiated but not yet completed, they shall be completed in accord with the procedures outlined below for "New Transfers".

II. New Transfers

A. The first county (county now paying security) shall prepare the Notification of Transfer, Form AB 215, in quintuplicate, Section A being completed in full. One copy of this form shall be retained by the first county and four copies shall be sent to the second county (county to which recipient has moved) as soon as possible after the first county learns of the recipient's removal to the second county.

Upon initiating transfer procedures, the first county shall also furnish the second county with the following:

1. If Old Age Security is being paid on the basis of need in excess of $75, a statement of the items of need, the amounts allowed therefore and the recipient's net income, or a copy of the last Budget Work Sheet.

2. If Security for the Blind is being apid on the basis of need in excess of $85, a statement of the items of need, the amounts allowed therefore, and the recipient's net income.

3. Any other information the first county has which may be pertinent to the second county in determining the recipient's continuing eligibility.

4. Certified copies of:

   a. Application (Form Ag or Bl 200) -- (If the first county has received more than one application from the applicant only a copy of the application on which security is currently being paid need be forwarded to the second county.)

   b. Last Certificate of Verification of Eligibility (Form Ag or Bl 201).

   c. Verification of real and personal property holdings including a report of the results of the two year property search.

   d. Verification of the required state residence.

   e. Letters of Guardianship or Summary of Letters of Guardianship (Form DPA 5).

   f. The following evidence varying in accordance with the category of security:

      In Old Age Security - Age and citizenship evidence which established eligibility.

      In Security for the Blind - Physicians' Report of Eye Examination (Form Bl 227) and Notification to the County of Necessity for Re-examination of Eyes (Form Bl 515).

At the time Section A of the Form AB 215 is completed by the first county Form ABC 217, Notification of Change of County Residence shall be sent by the first county to the recipient. This notification informs the recipient of the pending transfer of his security and his own responsibility if delay or interruption of security is to be avoided.

B. Upon receipt of the Form AB 215, the second county shall interview the recipient to establish his presence in the county and to determine the amount of security to which he is eligible. If changed circumstances require a change in grant, the amount shall be determined.

If the recipient continues to be eligible to security in the same amount, or in a greater amount, the second county shall complete Section B of the Form AB 215 and shall assume responsibility for payment of security at the earliest possible date, but not later than the first day of the third month following receipt of the Form AB 215, Notification of Transfer, from the first county.

If adjustment in the recipient's grant is necessary because of overpayment, (either decrease or discontinuance for one month as a "current adjustment") the date on which the second county shall assume responsibility for payment of security shall be such as to allow adequate time for the first county to complete the grant adjustment before the effective date of the transfer. (See example on page 1 of this bulletin.)

After completing Section B of the Form AB 215, the second county shall return three copies of this form to the first county retaining one copy in their own records. The second county shall also furnish the first county with such supplementary report as is necessary. If a change or adjustment in the grant is indicated, a complete explanation of such adjustment shall be furnished the first county. In Old Age Security this shall include either a copy of the newly completed Budget Work Sheet or a statement of the net income, the various items of need, and the amounts allowed therefore. In Security for the Blind it shall include a statement of the items of need, the amounts allowed therefore, and the recipient's net income.

C. Upon return of the Form AB 215, Notification of Transfer, by the second county, the first county shall make any required adjustment in the recipient's grant and then complete and sign Section C of the Form AB 215, one copy of which shall be retained, one copy sent to the second county and one copy to the SDSW.

As soon as transfer arrangements are completed the first county shall send the recipient Form ABC 218, Notice of Effective Date of Transfer, and shall discontinue security effective the last day of the month preceding the date on which the second county is authorizing security.

D. The second county shall be responsible for determining current eligibility of the recipient and authorizing payment on the effective date of the transfer. A new application, Form Ag or Bl 200, in the second county shall not be required but the second county shall complete the Certificate of Verification of Eligibility (Form Ag or Bl 201) in the same manner as for any new application and forward it to the SDSW not later than fifteen days after security is authorized by the Deputy Director of the SDSW. (See Dept. Buls. 331 and 332, II, Item 1.)

E. If the recipient moves to a third county before the date on which the second county is to assume responsibility, the second county has no responsibility for payment of security. The first county shall continue payment of security and enter into transfer arrangements with the third county in the same manner in which transfer arrangements were entered into with the second county. The first county shall request the second county to forward to the third county certified copies of any documents furnished the second county by the first county at the time the transfer arrangements were made with the second county.

III. Revision of Transfer Forms

Forms AB 215, Notification of Transfer, ABC 217, Notice of Change of County Residence and ABC 218, Notice of Effective Date of Transfer are being revised. Until the revised forms are available the old forms should be used but any references thereon to county residence intent should be stricken.

C. M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

TITLE 22-EH2

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 27, 1948

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

IN REPLY PLEASE REFER TO:

My dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare in Standards for Aged Institutions in California.

These regulations were adopted by the State Social Welfare Board on October 29, 1948, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103 and are filed in accordance with provisions of Section 11380 of the Government Code.

This material was previously filed with your office on November 1, 1948. It is now being sent to you in the form issued.

Very sincerely yours,

Chas M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

468:bf
Attachments

STANDARDS FOR AGED INSTITUTIONS IN CALIFORNIA

Issued By

CALIFORNIA STATE DEPARTMENT OF SOCIAL WELFARE

616 K Street, Sacramento

FILED
in the office of the Secretary of State
of the State of California

DEC 29 1948

At 10 o'clock A. M.
FRANK M. JORDAN, Secretary of State
By Robert J. Jordan
Assistant Secretary of State

Adopted by the Social Welfare Board on October 23, 1947
Revised October 29, 1948

TITLE 22 - CH 2

Certified as a Regulation (or s
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

O M Wollenberg
(Signature)

Director
(Title)

12-27-48
(Date)

5. All receipts should be deposited daily with a duplicate deposit slip being maintained in file.
6. Deposit of funds should be by an employee other than the employee receiving such money and issuing receipts. For commercial institutions, the owner may wish to handle all receipts and disbursements.
7. All exceptional transactions should be approved in advance by a responsible officer of the organization.
8. Books and accounts of non-profit institutions should be audited annually.
9. Non-profit incorporated institutions should require fidelity bonds for the treasurer and all employees handling substantial amounts of money.
10. The entire financial operations of philanthropic institutions should be on the basis of an annual budget approved by the board.

Financial Arrangements with Residents

Fees

Fees, charges for board and care, and all other financial arrangements between the institution and the aged person should be clearly understood by both parties. In general, financial agreements should be in writing, with a copy for each party, to avoid possibility of error or misunderstanding. The institution's policy as to whether or not refunds are made to guests who leave or die before the end of the period paid for should be clearly stated.

Cash Deposits Held by Home for Residents

Cash and other personal property owned by residents and turned over to the home for safeguarding should be carried on the organization's books and should indicate currently the balances remaining in the individual accounts. All withdrawals should be accounted for by signed numbered receipts. Original transfer of funds should be substantiated in writing and evidence be available for reference. Inventory should be kept of other personal property held by the home for residents with copies for the institution and the resident.

Life Care Contracts

Certificate of Authority

Any organization or person (hereinafter referred to as the contractor) maintaining a home for the aged may receive transfers of property conditioned upon an agreement, written or oral, to furnish life care, or care for a period of more than one year, to the transferor or his nominee if a license and a certificate of authority have first been obtained from the State Department of Social Welfare. Any contractor who maintains an agreement providing for a transfer of property in return for life care to the transferor or his nominee must have a certificate of authority from the State Department of Social Welfare.

A certificate of authority issued by the State Department of Social Welfare expires not later than 12 months from its date of issuance, and application for renewal must be filed 10 days prior to expiration. The State Department of Social Welfare may limit the number of contracts which the contractor may enter into or maintain. No certificate of authority shall be transferred. Neither the terms of the agreement, nor the place of performance specified in any agreement, shall be changed without the written consent of the State Department of Social Welfare.

Definitions

1. A home for the aged is one which is licensed as such by the State Department of Social Welfare.
2. An aged person is one who has reached the age of 65 years.
3. The words "care" or "board and care" refer to board and room and to such other services as an agreement may specify.

Agreement for Life Care

Agreements for life care, or for care for a period of more than one year, which are subject to a certificate of authority include those providing for termination at will by one party without the consent of the other. An agreement which calls for a transfer of property, but which does not establish the presumption that care will be extended for life, or for a period greater than one year, is not subject to a certificate of authority.

Before issuing a certificate of authority, the State Department of Social Welfare may require that an oral agreement be reduced to writing. The State Department of Social Welfare may require to be filed with it a copy of any agreement between the certificate holder and the transferor.

The agreement shall show:

1. The value of the property transferred
2. The amount of care to be furnished to the transferor or his nominee
3. The manner in which care is to be furnished.

Dismissal Prior to Expiration of Agreement

If the agreement permits dismissal or discharge of the aged person from the home prior to the expiration of the agreement, with or without cause, an amount equal to the difference between the amount paid in and the amount used for the care of the aged person during the time he remains in the institution, based upon the per capita cost to the institution, shall be refunded to the transferor; however, in cases where a consideration greater than the minimum charge has been paid for accommodations above standard, a sum equal to the difference between the amount paid in and the ratio of the amount paid to the minimum consideration for standard accommodations times the current per capita cost to the institution applied to the period the aged person remained in the institution shall be refunded to the transferor. If the per capita cost to the institution during the period can not be established otherwise, the cost during the period shall be deemed to be the cost at the time of the dismissal or discharge.

Yearly Per Capita Cost

Yearly per capita costs shall be computed by dividing the total yearly cost of providing care substantially equivalent to that provided for by contracts subject to a certificate of authority by the corresponding man-years of care extended. Losses on securities or property sold or exchanged will not be counted in the per capita cost of extending care, nor will such costs include losses on the sale of life care contracts. Depreciation costs of that part of the plant property devoted to life care will be included.

Contract Reserve

The contract reserve is defined as the liability represented by the estimated cost to which the contractor will be subject in providing services under the contracts requiring a certificate of authority.

The cont: ; reserve for the individual i: timated on the basis of McClintock's table of mortality amount annuitants, with interst assumption at 2½%. The resulting factor is then multiplied by an estimate of per capita cost.

As a first assumption, this estimate of per capita cost is the average of per capita costs of the five fiscal years immediately preceding the fiscal year during which the granting of the initial or renewal certificate of authority is being considered.

The State Department of Social Welfare may allow an estimate of per capita costs different from the average per capita costs for the previous five years, upon presentation, by the contractor, of a financial plan indicating specifically the various elements of estimated cost and the nature and effectiveness of the financial controls necessary to keep operation within the estimated cost.

Contract reserves shall be maintained as follows:

The contractor shall show assets of the following kinds and proportions in an amount equal to the contract reserves for contracts entered into on September 19, 1939, and thereafter, excluding that part of such contract reserve which is due to the element of depreciation in per capita cost.

1. Cash, which shall include:

   a. Cash on hand;
   b. Deposits in demand and term savings accounts with banks which are members of the Federal Deposit Insurance Corporation, to the extent that such deposits are insured by such corporation;
   c. Investments in certificates issued by building and loan associations which are members of the Federal Savings and Loan Insurance Corporation, to the extent that such certificates are insured by such corporation.

2. Securities, of which 75 per cent shall be such as are permitted for the investment of funds of savings banks of California.* Of the remaining 25 per cent of securities, 10 per cent may consist of preferred stocks and 15 per cent may consist of common stocks. Said stocks shall be limited to corporations which have an uninterrupted dividend record of at least 10 years and must be of a high investment grade. The stocks shall be subject to the approval of the Department of Insurance and upon the request of the Department of Insurance any stocks to which it objects shall be eliminated from the required reserve.
3. Real estate, or equities therein, owned by the organization or person, to the extent of 60 per cent of the net value thereof, as appraised by two appraisers approved by the State Department of Social Welfare.

4. Furniture and equipment as needed for the operation of the institution to the extent of 50 per cent of the net value thereof as appraised by two appraisers approved by the State Department of Social Welfare.

The remaining assets of the contractor, excluding the 40% or 50% of appraised value not counted above, shall be sufficient to cover the following:

1. The contract reserve for contracts with beginning dates prior to September 19, 1939.

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*Securities permitted for the investment of the funds of savings banks are defined in subsections 5 and 6 of Section 61 of the Bank Act.

2. That part of the contract reserve due to the element of depreciation in per capita cost regardless of the beginning date of the contract.
3. All other liabilities of the contractor.

For the failure of any organization or person to provide reserves as specified above, the State Department of Social Welfare shall, after due notice, revoke its certificate of authority except that State Department of Social Welfare may, for good cause shown, revoke the certificate of authority in so far as it authorizes entry into new contracts. (W&IC 2357)

Evaluation of Assets

Certain assets shall be valued as follows:

Assets to offset contract reserves for contracts entered into on September 19, 1939, and thereafter.

1. Stocks and bonds shall be valued at the current market price.
2. Real estate and improvements shall be valued at 60%, and furniture and fixtures at 50% of the average of the current appraisals of two appraisers approved by the State Department of Social Welfare.

Assets to offset other liabilities (including contract reserves not mentioned above).

1. Stocks and bonds shall be valued at the current market price.
2. Real estate, improvements, furniture, and equipment will be valued at cost less depreciation. The home may substitute for such values 60% of the appraised value of real estate and improvements, or 50% of the appraised value of furniture and equipment, as determined by the current appraisals of two appraisers approved by the State Department of Social Welfare.
3. Other assets shall be valued as determined by the State Department of Social Welfare.

Appraisals shall be made on the basis of fair market value. The State Department of Social Welfare may accept as a current appraisal one which was made some time before the date on which assets are being valued, if it finds no significant change in values has taken place.

Insufficiency of Current Assets

When it appears to the State Department of Social Welfare that the current assets available or becoming available during the year for which the certificate of authority is to be granted will not be sufficient to meet demands for the payment of obligations incurred, the State Department of Social Welfare will require a financial plan from the contractor, setting forth estimated income and outgo of cash. If this plan does not indicate clearly the ability to meet obligations becoming due during the year, the State Department of Social Welfare either will not grant the certificate of authority, or require that the contractor obtain, before the certificate of authority is granted, a bond executed by an admitted surety insurer, in an amount satisfactory to the State Department of Social Welfare providing that the principal will faithfully perform all obligations undertaken by him pursuant to the certificate of authority, to and for the use and benefit of all persons who may be injured or aggrieved by the failure of the principal to perform any such obligation, and any person so injured or aggrieved may bring suit on such bond, in his own name, without an assignment thereof. A bond shall not be required of benevolent, charitable, religious, fraternal, educational, or other non-profit organization.

Probationary Period

Any agreement between an aged person and an institution to furnish life care to the aged person should be on the basis of a probationary period of several months' duration, during which time either the home or the aged person may cancel the agreement. The probationary period is of benefit to both the aged person and the institution as it allows time for the aged person to decide on the basis of actual experience in the home whether or not he wishes to remain for the rest of his life and also allows the home to determine whether the individual is acceptable as a member of the group and capable of adjusting to institution life.

In regard to financial agreements, it is presumed that no life care contract is in force until completion of the probationary period, regardless of whether an agreement has been entered into at the time of entrance or during the period of probation. Therefore, if an aged resident dies during his period of probation, the value of property transferred to the home, less a reasonable charge for board and care and/or other properly chargeable expenditures shall be refunded to the estate of the probationer. If securities were transferred, the market value as of the time of the transfer would be the value considered, unless they had been converted into cash, in which case the amount of cash thus received should be the basis of the refund. If real property was transferred, the appraised value or a fair value agreed upon by the transferor and transferee at the time of transfer should be the basis of the refund.

Charges for Care to Aged Residents Withdrawing from the Institution

Homes permitting voluntary withdrawal of aged residents having life care contracts should not charge exorbitant rates for care in arriving at the net amount to be refunded, in order to avoid working a hardship on the aged person in making other suitable provision for his care. The charge for care should be based on the average per capita cost of the home for the period elapsed.

Refund Penalties on Deposits to Secure Reservations for Life Care

Deposits on reservations in the home pending admittance should be accepted only on the basis of the annual turnover in population. The practice of accepting deposits from prospective applicants in large numbers is not encouraged where vacancies do not exist and where the probability of accommodating all applicants in one year's time is remote. When a deposit is accepted from a prospective applicant for future admission, the depositor should receive, in writing, the assurance that the home will guarantee admission within a specified time limit. In the event the deposit is accepted without such designation, there shall be no penalty assessed by the home if the depositor requests a refund against the original deposit and/or any subsequent payments. A depositor may be penalized only when he has arranged to take possession of a room at a definite time and then subsequently fails to adhere to the arrangement, demanding the refund of his deposit and other payments made to the institution.

Inspection by State Department of Social Welfare

The State Department of Social Welfare may inspect the books and records, or the performance of any service required pursuant to the agreements.

"Sale" of Rooms

Institutions giving life care should avoid "selling" a particular room to an aged resident as reasons of health or safety may make it inadvisable for him to occupy the room. A prolonged illness where hospitalization is necessary would result in vacancy of a room which could not be used by another aged person.

TITLE 22-CH 2

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
(2)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 31, 1948

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
in the office of the Secretary of State
of the State of California

DEC 31 1948

At 3 o'clock P M.

FRANK M. JORDAN, Secretary of State

By Robert T. Jordan
Assistant Secretary of State

IN REPLY PLEASE REFER TO:

My dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare with Manual Letter No. 127.

These regulations were adopted by the State Social Welfare Board on December 17, 1948, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, and 114b, and are filed in accordance with provisions of Section 11380 of the Government Code.

Very sincerely yours,

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

468:b5
Attachments

TITLE 22 - CH 2

Certified as a Regulation (or Regulations) of the

Dept of Soc. Wel.

(Name of State Agency)

C M Wallenberg

(Signature)

Director

(Title)

12-31-78

(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

1297

December 29, 1948

MANUAL LETTER NO. 127

The attached revisions are to be entered in your Manual of Public Assistance Policies and Procedures and the revision numbers canceled on the separators of the revised chapters. The revision numbers are as follows:

Welfare and Personnel Standards	Revisions 75 thru 79
Classification	Revisions 48 and 49
Investigation and Decision	Revisions 196 and 197
Continuing Services	Revision 213

These revisions were adopted by the Social Welfare Board on December 16, 1948, and are effective as follows:

January 1, 1949	February 1, 1949
073-20	195-00
075-10	196-00
075-35	197-00
076-05	198-00
078-00	198-20
	198-30
	351-60

Secs. 073-20, 075-10, 075-35, 076-05, and 078-00 as revised give move explicit instructions regarding Merit System lay-off procedure.

New Forms CA 240, Physician's Report of Examination, and CA 240-A, Gainful Employment Determination, combine information for TBF and CIF cases and replace Forms CA 240, Revised November 1944, Report on Incapacitated Father, and CA 242, Revised November 1944, Report on Tuberculous Father. Secs. 195-00 and 196-00 have been revised and new secs. 197-00, 198-00, 198-20, and 198-30 have been written to correspond to the revised forms and to eliminate duplication where the same instructions apply to both the TBF and CIF classifications. Secs. 195-05, 196-05, and 196-20 have been deleted.

Department Bulletins No. 326 and 327 are now obsolete.

.073-25 PROMOTIONAL ELIGIBLE LISTS 073-25

WPS

Names of competitors who are successful in promotional examinations for any given county as provided in these rules shall be placed on the county promotional eligible list for class for which such examination is held and said list may take precedence over eligible list and general reemployment list for said class at discretion of appointing authority.

An employee who leaves employ of the county (except by lay-off) in which he has gained eligibility for promotion shall be considered as having relinquished his right to promotion, and his name shall be stricken from such promotional eligible list. In discretion of SDSW, such employee's name may, if the employee requests it in writing, be placed upon eligible list for same class in accordance with final rating attained in promotional examination, if there be such an eligible list then existing. (W&IC 119.5, 119.6; FSS-Admin.)

073-30 INACTIVE LISTS 073-30

WPS

The name of an eligible who is not available for immediate certification shall be placed upon an inactive list, but may be restored to the active list from which it was removed upon written request of such eligible, provided list resulting from the examination in which he participated is still in existence. (See Sec. 073-70, Response by Certified Eligible and Sec. 073-90, Voluntary Withdrawal from Active List.) (W&IC 119.5, 119.6)

073-50 REQUEST FOR CERTIFICATION OF ELIGIBLES 073-50

WPS

Whenever a position is to be filled, appointing authority shall notify the SDSW of that fact in advance of date of anticipated need and shall make written request for certification on Form PS-18, Request for Certification, stating duties, salary, tenure, and location of the position.

In requesting certification for personnel, the appointing authority may have the right to specify the sex of the eligible to be certified, providing that a justifiable reason is given for the request and is approved by the Personnel Officer. (W&IC 119.5, 119.6)

073-60 CERTIFICATION OF NAMES 073-60

WPS

Examining agency shall certify to appointing authority on Form PS-19, Certification of Eligibles, names and addresses of the three persons who stand highest on eligible list for class to which position belongs and who have indicated a willingness to accept conditions of employment as specified.

(Section continued on next page)

073-10 REMOVAL OF NAMES FROM ELIGIBLE LISTS 073-10

WPS

Under supervision and direction of the SSWB, examining agency may remove name of an eligible from an eligible list:

1. For any of the causes stipulated in Sec. 071-95, Disqualification of Applicants;
2. On evidence that eligible cannot be located by postal authorities;
3. On receipt of statement from eligible declining an appointment and stating that he no longer desires consideration for a position with the agency;
4. If three offers of a probationary appointment to class for which eligible list was established have been declined by the eligible.

Examining agency shall notify eligible by mail addressed to his last-known address of this action and the reasons therefor. An eligible's name shall be reinstated on the eligible list upon showing of cause satisfactory to the SDSW, or in accordance with a decision of the SSWB upon appeal as provided in Sec. 076-70, Appeal from Dismissal, Suspension, or Demotion. (W&IC 119.5, 119.6)

073-20 REEMPLOYMENT LISTS 073-20

WPS

In addition to the eligible list for any class there shall be maintained for each class county and state-wide reemployment lists, which shall contain names of (1) employees who had permanent or probationary status and who have been laid off or demoted from positions in the class in accordance with the procedure outlined in Sec. 076-05, Reduction of Force, and (2) persons who have resigned and who within one year from the date of resignation have, with the consent of the appointing authority and the SSWB, withdrawn their resignations. The names shall be placed on the county reemployment list in accordance with the combined Report of Performance and seniority score if the county has adopted the California County Merit System Report of Performance; otherwise, the names shall be placed on the county reemployment list on a seniority basis alone. The names shall be placed on the state-wide reemployment list in accordance with the total seniority score alone. For example, the name of the employee laid off who had the highest score for the class would be placed at the top of the list, and the name of the person who had the lowest score would be at the bottom of the list.

The order of preference in certifying eligibles shall be: county reemployment list, promotional eligible list, state-wide reemployment list, county eligible list, district eligible list, state-wide eligible list.

Names which have appeared on a list for five consecutive years, shall be removed from the reemployment lists unless the period is extended by the SSWB. (W&IC 119.5, 119.6)

073-70 RESPONSE BY CERTIFIED ELIGIBLE **073-70**

WPS

Appointing authority may notify an eligible that he has been certified by the examining agency, may request that he report for interview if he so desires, and shall inform any eligible so notified of the necessity for responding promptly in accordance with the provisions of this section.

Failure of an eligible to respond within 48 hours plus the time required for mail transmittal between headquarters of appointing authority and place of residence of said eligible, or, if notified by telegram requesting him to appear for interview, failure of eligible to present himself or to reach the appointing authority with some kind of communication within 48 hours from the sending of the telegram, shall be deemed an automatic waiver of the certification.

When certification is waived or declined by a certified eligible, appointing authority may request and examining agency shall thereupon certify an additional name in lieu of the eligible who waived. Written evidence of waiver shall be submitted by appointing authority when additional certification is requested.

Name of any eligible who fails to respond, within a reasonable time after notice of certification or any other notice sent him by examining agency requiring an answer, or who fails to keep examining agency advised of his correct address and telephone number, shall be placed on inactive list. Said name may be restored to the active list at any time during remaining time such list is in existence, provided satisfactory reasons are presented to SDSW for failure to respond or to supply required information. (W&IC 119.5, 119.6)

073-60 (Continued) 073-60

Number of names to be certified to appointing authority shall be on basis of number of appointments to be made plus two from each of following lists: county, district, and statewide employment lists. All names shall be certified from each eligible list in their consecutive order.

Notwithstanding the existence of an eligible list for a given classification, the appointing authority may request certification from the eligible list for a higher classification within a given series of classifications to fill a vacancy in the lower classification.

Where appointment is for a part-time position, either permanent or temporary, only the names of those eligibles who live in vicinity of the employment need be certified.

If there is no eligible list for class in which vacancy occurs, an appropriate list may be used, if there is such, and in that event only the names of those persons having full qualifications required in vacant position shall be certified.

If an eligible receives a probationary or permanent appointment, such appointment shall constitute, for its duration, a waiver of his right to certification from any other eligible list on which his name appears for a class of position the salary of which is either equal to or lower than that salary covered by his appointment, unless at time of such appointment he requests in writing that his name be retained for certification from such eligible list or lists. (For exception see Sec. 077-20, Appointment to Fill Military Leave Vacancy.)

Name of each employee whose name appears on an eligible list for a class of position with a higher salary range than the salary range of his present class of position shall be submitted by examining agency, and given consideration for the higher class of position if his name is reached. (W&IC 119.5, 119.6; FSS-Admin.)

073-65 OMISSION OF NAMES FROM CERTIFICATION 073-65

WPS

If, in the exercise of his choice provided under Sec. 074-00, Original Appointments, appointing authority passes over the name of an eligible on an eligible list in connection with three separate appointments he has made from the eligible list, written request may be made of the SDSW that name of such eligible be omitted from any subsequent certification to same appointing authority from same eligible list. Name of such eligible shall thereafter not be certified to him from that eligible list for future vacancies in that class of position. (W&IC 119.5, 119.6)

075-30 CERTIFICATION FROM PROMOTIONAL ELIGIBLE LIST 075-30
WPS

All employees who qualify in promotional examination shall be placed on a promotional eligible list for the class of position in the order of their examination ratings.

If a promotional and an original eligible list exist, the same number of names shall be certified from each list in accordance with Sec. 073-60, Certification of Names. Appointing authority may make selection from names submitted from either register, giving such preference to present employees as the good of the service will permit. (W&IC 119.5, 119.6; FSS-Admin.)

075-35 NONCOMPETITIVE PROMOTIONS 075-35
WPS

Notwithstanding the provisions of any other section of these rules, an appointing authority, upon presentation of valid reasons, may be permitted by the SSWB to make promotions within a county welfare department or between county welfare departments on a noncompetitive basis. Such promotions shall be made only if the employee to be promoted in this manner shall have permanent status in the next lower classification within a series of positions, if his report of performance shall be "Acceptable" or "Excellent", and if he meets the minimum qualifications for the position for which he is being considered for promotion. Before any noncompetitive promotion may be made, the appointing authority shall submit to the SDSW a Form PS-16, Statement of Qualifications for a Provisional Appointment, for the employee being considered for such promotion, and his qualifications shall have been certified by the examining agency as meeting the minimum requirements as to training and experience required for the position for which he is being considered for promotion.

The SDSW shall determine the classes of positions from which and to which such promotions may be made within a series of positions.

Noncompetitive promotions shall be reported to the SDSW by appointing authority on Form PS-20, Notice of Appointment. (W&IC 119.5, 119.6)

075-50 INTER-AGENCY TRANSFER OF EMPLOYEE 075-50
WPS

Transfer of an employee from a position in one organizational subdivision of a county agency to a position of same class in another organizational subdivision of same or another county agency may be made at any time by appointing authorities concerned. All inter-agency transfers must be certified by SDSW. No increase or advance in salary shall be made upon a transfer, unless the regulations governing salary advancement are complied with.

Inter-agency transfer shall be reported to the SDSW by appointing authority of the county from which the employee is transferring on Form PS-21 (Report of Separation) and by appointing authority of county to which employee is transferring on Form PS-20, Notice of Appointment. (W&IC 119.5, 119.6)

075-00 METHOD OF MAKING PROMOTIONS 075-00
WPS

As far as is practicable and feasible, a vacancy shall be filled by promotion of a qualified permanent employee based upon individual performance, as evidenced by recorded service ratings, with due consideration for length of service, and upon capacity for the new position as demonstrated by a promotional examination. (For exception to written promotional examinations, see Sec. 075-35, Noncompetitive Promotions.) Preference in promotion may be given to employees within an agency. All inter-agency promotions must be approved by appointing authorities concerned.

Candidate for promotion must be certified by examining agency to possess qualifications for position as set forth in specifications for the class of position for which he is a candidate or he shall submit adequate evidence to SDSW that he possesses the required ability and fitness to perform the duties of the position, and he shall be required by examining agency to qualify for the new position by promotional competitive examination administered by examining agency.

Promotion shall be reported to SDSW by appointing authority on Form PS-20 (Notice of Appointment). (W&IC 119.5, 119.6; FSS-Admin.)

075-10 PROMOTION BY COMPETITIVE EXAMINATION 075-10
WPS

If it is determined by the SSWB to fill vacancies in a particular class of position by promotional competitive examination, such examination shall be given under the direction of the examining agency. A promotional competitive examination may be limited to employees of county agency concerned or may, with approval of the SSWB, be open to employees of other county agencies.

An employee to be eligible to compete for promotion must have permanent status in a lower related class, except that limited term appointees who, immediately preceding their limited term appointment, had permanent status in a class designated as eligible for promotion, may compete in said promotional examinations as though they then held the appropriate status.

No applicant shall be eligible to compete in a promotional examination unless his service rating at time of last regular report was "Acceptable" or "Excellent". (W&IC 119.5, 119.6; FSS-Admin.)

075-20 CONTENTS OF PROMOTIONAL COMPETITIVE EXAMINATION 075-20
WPS

A promotional competitive examination shall consist of any combination of the following: written tests, ratings on training and experience, evaluation of recorded service ratings and seniority, performance tests, and qualification appraisals. The combination in each case and procedures for determination of qualifying grade shall be announced by examining agency in advance of examination, and shall take into consideration approved practices. (W&IC 119.5, 119.6; FSS-Admin.)

076-05 REDUCTION OF FORCE **076-05**
WPS

The appointing authority may separate any employee, without prejudice, because of lack of funds or curtailment of work. No permanent employee, however, shall be separated while there are emergency, intermittent, temporary, or provisional employees serving in the same class of position in the same county agency. The order of separations due to reduction of force shall be based upon service ratings and seniority, under a formula to be formally established by the SDSW and approved by SSWB or upon a similarly approved formula for computation of seniority for those counties where the official Report of Performance has not been adopted. All such separations shall be reported to the SDSW on Form PS-21, Report of Separation.

The procedure shall be as follows:

Lay-offs

Lay-offs from positions in the California County Merit System shall be by classification, on the basis of the combined score for efficiency and seniority in those counties where the California County Merit System Report of Performance system has been adopted. Lay-offs from positions in all other county welfare departments shall be by classification, on a seniority basis. The employee having the lowest score in the class under consideration under the system in operation in the county, shall be laid off first, etc.

No County Merit System employee having permanent or probationary status in the class being considered for lay-off shall be laid off until all nonstatus Merit System employees in either emergency, provisional, or limited term appointments have been laid off. The order of lay-off of these nonstatus categories shall be as listed above.

If the computed lay-off scores of two or more employees in a class being considered for lay-off are equal, the preference for retention shall be:

1. Veteran

2. Employee with highest overall Report of Performance rating (where official system has been adopted).

3. Employee with greatest total calendar time in the class in which lay-off is being made and in related higher classes.

4. Employee with greatest total calendar time in the county welfare department's service.

(Section Continued on Next Page)

075-55 INTER-CLASS TRANSFER OF EMPLOYEE **075-55**

WPS

Transfer of a permanent employee from a position in one class to a position in another class having substantially the same entrance salary shall be made only upon certification of SDSW with approval of appointing authorities concerned. Examining agency shall require that employee meet entrance requirements established for position in new class, or submit adequate evidence to SDSW that he possesses required ability and fitness to perform duties of position to which he is being considered for transfer. Examining agency may also require a qualifying examination.

Transfer from a lower to a higher class of position is a promotion and shall be made only in manner prescribed in Sec. 075-00, Method of Making Promotions.

Notwithstanding anything in this or any other section, an employee may be required to perform such duties as appointing authority finds necessary for a period not in excess of one hundred and twenty days.

Inter-class transfer shall be reported to SDSW by appointing authority on Form PS-20, Notice of Appointment. (W&IC 119.5, 119.6)

075-60 DEMOTION **075-60**

WPS

A permanent employee may be demoted for inefficiency, or for other cause, but in all such cases employee shall have same rights of appeal to SSWB as employees who have been dismissed.

Demotion shall be reported to SDSW by appointing authority on Form PS-21, Report of Separation, and subsequent appointment of employee to lower classification shall be reported on Form PS-20, Notice of Appointment. (W&IC 119.5, 119.6; FSS-Admin.)

076-00 TENURE OF OFFICE **076-00**

WPS

Tenure of office of every permanent employee shall be during good behavior and satisfactory performance of his duties as recorded by his service rating. This provision, however, shall not be interpreted to prevent separation of an employee for cause, or separation of an employee because of lack of funds or curtailment of work, when made in accordance with these rules. (W&IC 119.5, 119.6; FSS-Admin.)

076-05 (Continued) 076-05

No distinction shall be made between a probationer and a permanent employee in making lay-offs.

1. Seniority

Partial month employment shall be credited as full month where person has been an employee of the county welfare department for 16 calendar days or more in the month. One-twelfth point credit shall be given for more than 16 days employment in the month.

a. Seniority shall be computed on the basis of 1/12 of a point for each month of employment since March 21, 1941, in any California Merit System county welfare department, irrespective of class or status of employment.

b. Additional credit shall be computed on the basis of 1/12 point a month for work in the employee's present classification and for employment in related classes. Related classes are those listed under the same group number as follows:

Group I

County Welfare Director V
County Welfare Director IV
County Welfare Director III
County Welfare Director II
County Welfare Director I

Group II

Assistant County Welfare Director
Public Assistance Supervisor, Grade II
Public Assistance Supervisor, Grade I
Child Welfare Services Worker
County Child Welfare Supervisor, Grade II
County Child Welfare Supervisor, Grade I
Public Assistance Worker, Grade II
Public Assistance Worker, Grade I

Group III

Chief Bookkeeper Clerk
Chief Clerk
Senior Bookkeeper Clerk
Senior Stenographer Clerk
Senior Typist Clerk
Senior Clerk
Receptionist
Junior Bookkeeper Clerk
Junior Stenographer Clerk
Junior Typist Clerk
Junior Clerk

c. Full credit shall be given employees for time spent in the armed services of the U. S. while on military leave from any county welfare department.

d. Full credit shall be given for time spent while on approved educational leave. Such time shall be considered to be time spent in the classification of employment from which leave of absence was granted.

(Section Continued on Next Page)

076-05 (Continued) 076-05

Demotion in Lieu of Lay-off

An employee who has previously served in the Merit System with permanent status in any class below that of the class under consideration, in lieu of being laid off, has the option of being demoted to the lower class. The employee so replaced would be the one in that lower class having the lowest score based on seniority (plus additional points for efficiency, if the county is using the Official Report of Performance system).

Notice to Employee

An employee compensated on a monthly basis should be notified that he is to be laid off 15 calendar days prior to the effective date of lay-off.

Appeals

Within 30 days after receiving notice of lay-off, an employee may appeal in writing to the SSWB on the ground that the required procedure for lay-off has not been followed, or that the lay-off was not in good faith or was otherwise improper. The SSWB shall arrange a formal hearing within 60 days after receipt of appeal. Both appellant and county agency shall be notified reasonably in advance of the hearing.

At such hearing the appellant and county agency shall have the opportunity to present whatever competent evidence he may desire and shall have the right to be represented by counsel. Witnesses may be subpoenaed, and the official records of the county welfare department may be demanded by the SSWB for such hearings.

The SSWB, within 30 days after hearing, shall make its findings known in writing to the appellant and the county.

All such hearings shall be public and shall be governed by the provisions of these rules; and in the conduct thereof, neither the SSWB, its representative, nor any other party shall be bound by technical rules of evidence, nor shall informality in any proceedings or in manner of taking testimony invalidate any order, or decision, made or approved by the SSWB.

Reduction in Force: Computation of Score

Procedure for consideration of seniority for either of the reduction-in-force methods (i.e., combining of the scores for efficiency with seniority or scores for seniority alone) shall be identical and is outlined below.

(Section Continued on Next Page)

076-10 RESIGNATION **076-10**
WPS

An employee who resigns shall submit reasons therefor in writing to appointing authority, a copy of which shall be forwarded to SDSW.

A resignation relates only to specific position from which employee resigns and does not impair his rights on other eligible lists.

Resignation shall be reported to SDSW by appointing authority on Form PS-21, Report of Separation. (W&IC 119.5, 119.6)

076-05 (Continued) 076-05

2. Credit for Reports of Performance

In the counties where the Merit System Report of Performance System has been adopted, employees shall be laid off by class in accordance with the following procedure. Seniority credits shall be computed on the basis of the rules in this section and shall be applied to all employees in the class being considered for lay-off.

a. All employees in the class whose last Report of Performance overall rating is "Unacceptable" shall be considered for lay-off first.

b. All employees in the class whose Report of Performance overall rating is "Improvement Needed" shall be considered next for lay-off. Six points for performance credit shall then be added to each employee's total seniority score.

c. All employees in the class with Report of Performance overall ratings of "Acceptable" or "Excellent" shall be considered as one group for lay-off purposes. Added performance points shall be credited as follows:

Standard . . . . . 12 points

Excellent. . . . . 18 points

Applicability

If a county has not adopted the official use of service rating forms as outlined in Section 078-00, the provisions of this section governing "Reduction of Force" shall be applicable by the use of the formula described in this section on a basis of seniority only and without reference to the formula based on the inclusion of scores determined by service ratings. (W&IC 119.5, 119.6)

077-30 RESTORATION OF NAME TO EMPLOYMENT LIST AFTER MILITARY LEAVE 077-30
WPS

If name of an individual is placed on an inactive employment list in accordance with Sec. 073-70, Response by Certified Eligible, or Sec. 073-90, Voluntary Withdrawal from Active List, or if name of an individual is removed from an active employment list in accordance with Sec. 073-10, Removal of Names from Eligible Lists, subdivision 2, because of individual's absence due to military service, his name may be restored to appropriate active employment list by presenting written evidence of such military service to SDSW within 90 days after termination of his military service. In event that employment list existing at time of individual's entrance into military service has expired at time individual requests restoration to employment list, name of individual shall be restored to active employment list resulting from an examination given during his military service. In event that employment list containing name of individual has been replaced since his entrance into military service by an employment list resulting from another examination, name of individual shall be ranked on new active employment list on basis of his total percentage rating in the earlier examination and in proper relationship to the other total percentage ratings on the more recent examination. (W&IC 119.5, 119.6)

078-00 SERVICE RATINGS 078-00
WPS

The SDSW in consultation with appointing authorities shall establish and make effective a system of service ratings designed to give a fair evaluation of quality and quantity of work performed in agencies. In so far as practicable, systems of service ratings in agencies shall be uniform. Such ratings shall be prepared and recorded for all permanent employees once a year and for probationary employees once every four months and before end of last month of probationary period. Service ratings shall be considered in determining salary advancements and in making promotions, demotions, dismissals, and in determining order of separations due to reduction of force. An employee shall be notified of his service rating in writing by SDSW or by receiving from the County Welfare Director a completed copy of the report of performance as forwarded to the SDSW.

It shall be duty of the appointing authority during the probationary period of each employee to investigate thoroughly his conduct, capacity, moral responsibility, and integrity to determine whether the employee is fully qualified for permanent status. Report on those and other designated qualities and characteristics shall be made for each probationary employee at end of each four months. Before the end of the last month of the probationary period, a final probationary Report of Performance shall be made to SDSW on forms prescribed by SDSW.

Notwithstanding the provisions of this section or any other section pertaining to service ratings, the use of such service rating forms, as developed and approved by the SDSW, shall be entirely optional on the part of the county appointing authority. However, as soon as a county notifies the SDSW that it has adopted the system of service rating forms prescribed by the SDSW, the provisions of this section and other sections pertaining to service ratings shall apply.
(W&IC 119.5, 119.6)

077-15 REINSTATEMENT FOLLOWING MILITARY LEAVE 077-15
WPS

Any individual granted military leave in accordance with Sec. 077-10, Military Leave, shall have right to be restored to his former position with same status formerly held by him upon application by him in writing to SSWB within 90 days after termination of such military service; provided, that position he held at time of his entrance into military service has not been abolished during his absence. In event that such position has been abolished, the individual returning from military leave shall be considered separated from employment and shall lose his right to reinstatement.

The position of an individual on military leave shall be considered as not having been abolished if there is existing at time of request for reinstatement in same county agency in which he was employed at least one position of same classification and title as position in which he was employed at time his military leave was granted. In event that no such position is vacant at time reinstatement is requested, appointing authority shall effect the layoff of an employee who has not been granted military leave in accordance with Sec. 076-05, Reduction of Force, in order to provide a vacant position for individual returning from military leave. However, if individual who replaced the employee on military leave is still employed in that position by county agency at time of requested reinstatement, replacee shall be separated forthwith. (W&IC 119.5, 119.6)

077-20 APPOINTMENT TO FILL MILITARY LEAVE VACANCY 077-20
WPS

An appointment to a position vacated as a result of military leave under provision of Sec. 077-10, Military Leave, shall be made from names certified from an appropriate employment list in the same manner as provided for permanent appointment under Sec. 073-60, Certification of Names, except that individual appointed to such a position as result of vacancy created by military leave shall be notified in writing by appointing authority that duration of his employment shall be subject to return and subsequent reinstatement of individual who is on military leave. This provision shall apply likewise to any successive appointment made to same position. (W&IC 119.5, 119.6)

077-25 NAME OF PERSON FILLING MILITARY LEAVE VACANCY TO REMAIN ON EMPLOYMENT LIST 077-25
WPS

The name of an individual certified from an employment list to fill a position vacated as result of military leave shall remain on that employment list and he shall be certified to all future permanent positions as provided for in Sec. 073-60, Certification of Names, in same manner as if he had not been certified to a position vacated as result of military leave. (W&IC 119.5, 119.6)

079-00 PAYROLL CERTIFICATION **079-00**
WPS

In cooperation with county agencies, a plan shall be adopted providing for certification of payrolls by SDSW. Such plans shall provide for review of payrolls within four weeks following each payroll period. (W&IC 119.5, 119.6)

079-30 RECORDS AND REPORTS **079-30**
WPS

SDSW shall establish and maintain a service record for each employee, showing name, title, organizational unit, salary, changes in status, service ratings, and such other personnel information as may be considered pertinent. Every recommendation for temporary or permanent change in status of an employee shall be submitted on prescribed forms to SDSW which shall submit recommendations to appointing authority. All personnel records shall be open to inspection of SSWB. SDSW shall make written report annually, to SSWB and county agencies on personnel activities and procedures of county agencies. A copy shall be simultaneously filed with examining agency. (W&IC 119.5, 119.6)

078-50 INTERFERENCE WITH ELECTIONS 078-50
WPS

No employee of a county agency or SDSW, engaged on a full- or part-time basis in administration and operation of State public assistance or Child Welfare Services programs, shall use his official authority or influence for purpose of interfering with an election or affecting the results thereof. All persons occupying positions other than those exempted in definition 4, Sec. 070-00, Definitions, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns. (W&IC 119.5, 119.6)

078-60 RELIGIOUS AND POLITICAL DISCRIMINATION OR DISCLOSURE 078-60
WPS

No question in any form of application or in any examination shall be so framed as to elicit information concerning political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced. No discriminations shall be exercised, threatened, or promised by any person in employ of county agencies or SDSW against or in favor of any applicant, eligible, or employee because of his political or religious opinions or affiliations except as provided in Subdivision 11, Sec. 071-95, Disqualification of Applicants.

No recommendation of any applicant, eligible, or employee involving a disclosure of his political or religious opinions or affiliations shall be considered or filed by county agencies, SSWB, or any officer or employee of any agency concerned in making appointments or promotions. (W&IC 119.5, 119.6)

078-80 OTHER EMPLOYMENT 078-80
WPS

No employee shall have conflicting employment while in employ of a county agency. Determination of such conflict shall be made by SDSW. (W&IC 119.5, 119.6)

079-70 APPLICABILITY **079-70**
WPS

All positions in county agencies engaged in administration of state public assistance and Child Welfare Services programs shall be filled by persons selected on basis of merit in accordance with these rules, excepting those positions in counties in which a merit system has been in effect prior to January 1, 1940, and excepting those positions hereinbefore exempted in Sec. 070-00, Definitions.

In counties in whicha merit system has been in effect prior to January 1, 1940, SSWB may delegate to the civil service agency in any such county, responsibility for operation of a merit system plan, providing standards of qualifications and examinations are equal to or higher than standards required by these rules. (W&IC 119.5, 119.6)

079-80 AMENDMENTS **079-80**
WPS

If and when it appears desirable in the interest of good administration, the SSWB may, after consultation with the counties, make additions to or amend these rules.

Any county which may in the future adopt a comprehensive merit system program by county ordinance covering personnel administering California public assistance and/or Child Welfare Service programs of the Social Security Act, shall submit copy of ordinance to SSWB. SSWB shall then transmit the ordinance and rules and regulations to the Social Security Board of the Federal Security Agency, and/or the Children's Bureau of the United States Department of Labor, for review and consideration as an amendment to the California Plan. (W&IC 119.5, 119.6)

079-60 COOPERATION WITH OTHER MERIT SYSTEM AGENCIES 079-60
WPS

The SSWB may cooperate with other State departments or with Federal or other public agencies whose merit systems operate in conformity with standards comparable to those contained in these rules. The SSWB may recognize an appropriate eligible list for a class of position established under another merit system operating in conformity with these standards, and may accept regular certification from such eligible lists under Sec. 073-60, Certification of Names.

Upon the request of an appointing authority an employee, who, within a period of three years, has resigned from a public agency operating a Public Assistance or Child Welfare Services program under a recognized merit system in another state, shall be eligible for reinstatement to a comparable position in a California county welfare department operating under the provisions of these rules. Before any such reinstatement may be made, the following conditions must be satisfied:

(1) That there is valid evidence, submitted by the Merit System Council or by the former employers of the resigned employee, that the employment record of said employee within that agency has been entirely satisfactory and that the employee resigned while in good standing or was separated without prejudice or without fault or delinquency on his part, and

(2) That the resigned employee had held a permanent, probationary, or a limited term position within the last three years with the other state agency in a class of position with duties and qualifications comparable to the position to which reinstatement is being requested, and

(3) That the qualifications of the resigned employee shall have been certified by the examining agency as meeting the minimum requirements as to training and experience required for the position for which reinstatement has been requested, and

(4) That upon reinstatement and appointment, the employee shall be required to serve a complete probationary period required of all original appointments in accordance with Sec. 074-00, Original Appointments. (W&IC 119.5, 119.6)

196-00 CLASSIFICATION OF CHILD OF INCAPACITATED FATHER (CIF) 196-00

ANC

A child shall be considered eligible under the classification of child of incapacitated father (CIF) when the father is not gainfully employed and the licensed physician's signed statement establishes: (1) that the father has a permanent physical disability or a permanent disability resulting from a physical condition which is concurrent with a mental or emotional illness, and (2) that (at the time of this determination) the father is unable to engage in any occupation, or that the number of hours of work which his condition permits does not constitute gainful employment. **(See Sec. 198-00, Instructions for Completion of Physician's Report of Examination (TBF and CIF), Form CA 240, and Gainful Employment Determination, Form CA 240-A).**

The term "physician" when used in connection with the establishment of eligibility for ANC under the TBF and CIF classifications relates to a doctor who is licensed as a physician and surgeon under Chapter 5, Division II of the Business and Professions Code. (This relates to physicians possessing M. D. degrees and those possessing D. O. degrees, who have a physician's and surgeon's certificate.)

A completed Form CA 240, Physician's Report of Examination, shall be a part of the county record in establishing eligibility under the CIF classification. Eligibility in so far as the father's incapacity is concerned shall be considered established as of the first of the month in which the physician's examination was made as shown on the Form CA 240.

When the incapacitated father is hospitalized in a Veterans Administration facility, see Sec. 198-20, Securing Medical Reports from the Veterans Administration. **(W&IC 1500, 1560)**

A completed Form CA 240, Physician's Report of Examination, shall be obtained annually at the time of the reinvestigation except in certain cases outlined in Sec. 351-60, Reinvestigation of Classification.

Aid, discontinued because of gainful employment of the father, may be restored without a current report on the Form CA 240 provided (a) the last medical report has been within 12 months, and (b) the case record contains supporting evidence of eligibility subsequent to discontinuance such as either an oral or written statement from the examining physician. **(W&IC 1500, 1560)**

195 00 CLASSIFICATION OF CHILD OF TUBERCULOUS FATHER (TBF) ANC 195-00

A child shall be considered eligible under the classification of a child of a tuberculous father (TBF) when the father is not gainfully employed and the licensed physician's signed statement establishes: (1) that the father has pulmonary tuberculosis or any other type of tuberculosis, and (2) that the father should refrain from employment, or that the number of hours of work which his condition permits does not constitute gainful employment. (See Sec. 198-00, Instructions for Completion of Physician's Report of Examination (TBF and CIF), Form CA 240, and Gainful Employment Determination, Form CA 240-A).

The term "physician" when used in connection with the establishment of eligibility for ANC under the TBF and CIF classifications relates to a doctor who is licensed as a physician and surgeon under Chapter 5, Division II of the Business and Professions Code. (This relates to physicians possessing M. D. degrees and those possessing D. O. degrees, who have a physician's and surgeon's certificate.)

A completed Form CA 240, Physician's Report of Examination, shall be a part of the county record in establishing eligibility under the TBF classification. Eligibility in so far as the father's tuberculous condition is concerned shall be considered established as of the first of the month in which the physician's examination was made as shown on the Form CA 240.

When the father is in a sanitarium or a hospital, the county shall request to be notified if the patient leaves. When the tuberculous father is hospitalized in a Veterans' Administration facility, see Sec. 198-20, Securing Medical Reports from the Veterans' Administration.

When the father is not in a sanitarium or a hospital, the county shall be responsible for establishing continued eligibility by use of the Form CA 240 at intervals specified by the physician on his most recent report, if such intervals are more often than annually.

A completed Form CA 240, Physician's Report of Examination, shall be obtained annually at the time of the reinvestigation except in certain cases outlined in Sec. 351-60, Reinvestigation of Classification.

Aid, discontinued because of gainful employment of the father, may be restored without a current report on the Form CA 240 provided (a) the last medical report has been within 12 months, and (b) the case record contains supporting evidence of eligibility subsequent to discontinuance such as either an oral or written statement from the examining physician. (W&IC 1500, 1560)

197-00 EMPLOYMENT IN TBF AND CIF CLASSIFICATIONS ANC 197-00

Definition of Gainful Employment

A father is considered to be gainfully employed if he earns for two consecutive months amounts which exceed his total needs, including, if he is living in the home, his pro-rated share of rent, utilities, and household expenses. For exception, see discussion below regarding trial work period and plan for rehabilitation (retraining).

Potential Earnings

When the physician reports on Form CA 240, Physician's Report of Examination, that the father may safely undertake employment, the county shall determine whether the work he can undertake, as reported by the physician, is gainful employment. The determination shall be based on the prevailing wage for the type of work and the number of hours of work the father is reportedly able to do. (For instructions for determining gainful employment on Form CA 240-A, Gainful Employment Determination, see Sec. 198-00.)

Actual Earnings

If the father is determined to be gainfully employed for two consecutive months, the ANC grant shall be suspended for the third month until verification of earnings for that month has been made. If gainful employment continues in the third month, ineligibility exists and aid shall be discontinued; the warrant for the third month shall be canceled. If the father is not gainfully employed in the third month, eligibility continues with respect to gainful employment and, if eligibility exists otherwise, aid for that month shall be paid in an amount to meet the budgetary deficiency.

Trial Work Period

In cases where the examining physician is unable to determine whether work would be harmful to the father, he may recommend in writing a trial work period in order to make such determination. ANC shall be granted up to and during such trial work period except for those months in which the father's actual earnings, together with other income, exceed the total budgetary needs of the family. The trial work period begins at the time the patient actually secures a suitable type of employment as prescribed by the physician and shall not exceed 90 days without further recommendation from the physician for such extension.

(Section Continued on Next Page)

196-30 REMARRIAGE OF PARENT 196-30
ANC

The remarriage of the parent of children eligible for ANC does not, in itself, affect the initial or continuing eligibility of these children. If the stepparent wishes to assume full or partial support of the children, even though he has no legal responsibility (See Sec. 171-20), his contribution is given the same consideration as any other income which is actually available to the children. (W&IC 1560)

196-35 MARRIAGE OF CHILD ELIGIBLE FOR ANC 196-35
ANC

The marriage of a child under 18 does not in itself render the child ineligible for ANC provided the requirements of the ANC Law are met. (W&IC 1560)

198-00 INSTRUCTIONS FOR COMPLETION OF PHYSICIAN'S REPORT OF EXAMINATION (TBF & CIF), FORM CA 240, AND GAINFUL EMPLOYMENT DETERMINATION, FORM CA 240-A ANC 198-00

Form CA 240, Physician's Report of Examination, is for the purpose of obtaining necessary medical information in establishing the incapacity of the father and the effect of the incapacity on his ability to work. The physician's statement shall be based on a recent examination. If the physician determines that the father may safely undertake employment, he indicates his findings regarding the father's degree of employability by stating the type of work and number of hours that the father's condition permits him to do such work. On the basis of the physician's findings and recommendations the county determines eligibility by completing Form CA 240-A, Gainful Employment Determination.

Form CA 240 shall be completed as follows:

1. In Section I the father signs the "Patient's Consent to Release of Medical Information" which authorizes the physician or medical agency to furnish medical information to the county.

2. The county completes each item of Section II, County's Statement Regarding Father, before submitting the form to the physician.

3. The physician completes Section III, Physician's Report, reporting the diagnosis, recommendations for medical care, if any, plan for patient, recommendation for reexamination, and ability to work.

Form CA 240-A shall be completed by the county on the basis of the information given on Form CA 240 as follows:

1. If under Section I, Item A, B, or D is applicable, no entries are to be made in Section II. Complete Section III.

2. In all other cases, complete Section II as well as Section III.

The county shall estimate the earnings on the basis of the prevailing wage for any type of work which it is reasonable to expect the father might undertake. The local office of the State Employment Service may be consulted regarding the prevailing wage for various types of work.

(Section Continued on Next Page)

197-00 (Continued) 197-00

Plan for Rehabilitation

It may be found desirable for the father to be trained for some type of work. Even though the physician finds the father able to undertake gainful employment, ANC may be granted for his children until the father's training under an established vocational rehabilitation program has been completed. If the father receives remuneration during the period of retraining, ANC shall be granted during such period, except for those months in which the father's actual earnings together with other income exceeds the total budgetary needs of the family.

The Bureau of Vocational Rehabilitation, State Department of Education, Sacramento, or any of the branch offices of the bureau may be consulted for assistance in planning a program of training.

Special Work Projects Undertaken by Father and Family

There may be instances wherein the father is assisted by members of his family in carrying on or developing a project such as raising chickens, or milk goats, or similar undertaking, although the medical report indicates the father is not able to undertake gainful work. Net profits from such a cooperative endeavor are considered income to the family budget unit and shall not be taken into consideration in determining whether the father is gainfully employed. (W&IC 1500, 1560)

198-00 (Continued) 198-00

STATE OF CALIFORNIA DEPARTMENT OF SOCIAL WELFARE

CA 240

CASE NAME _____

STATE NO. _____

COUNTY NO. _____

☐ CIF ☐ TBF

PHYSICIAN'S REPORT OF EXAMINATION

AID TO NEEDY CHILDREN

THE AID TO NEEDY CHILDREN LAW PROVIDES ASSISTANCE FOR NEEDY CHILDREN WHO ARE DEPRIVED OF SUPPORT BECAUSE OF THE FATHER'S INCAPACITY FOR GAINFUL WORK DUE TO A PERMANENT PHYSICAL DISABILITY OR A PERMANENT DISABILITY RESULTING FROM A PHYSICAL CONDITION WHICH IS CONCURRENT WITH A MENTAL OR EMOTIONAL ILLNESS OR BECAUSE THE FATHER IS SUFFERING FROM TUBERCULOSIS IN SUCH A STAGE THAT HE CANNOT PURSUE A GAINFUL OCCUPATION. THE PHYSICIAN'S FINDINGS AND RECOMMENDATIONS ARE USED BY THE COUNTY AS A BASIS FOR DETERMINING WHETHER THE WORK THE FATHER CAN UNDERTAKE, IF ANY, IS GAINFUL EMPLOYMENT. GAINFUL WORK IS DETERMINED BY COMPUTING THE FATHER'S ESTIMATED EARNINGS ON THE BASIS OF THE PREVAILING WAGE FOR THE TYPE OF WORK AND NUMBER OF HOURS OF WORK THAT THE PHYSICIAN REPORTS THE FATHER CAN DO. A FATHER IS CONSIDERED GAINFULLY EMPLOYED IF HE EARNS, OR IS ABLE TO EARN, AN AMOUNT TO EXCEED HIS OWN NEEDS.

SECTION I. PATIENT'S CONSENT FOR RELEASE OF MEDICAL INFORMATION

I, _____, DO HEREBY AUTHORIZE THE RELEASE OF MEDICAL FINDINGS TO THE _____ WELFARE DEPARTMENT. SUCH CONSENT IS GIVEN TO ENABLE THE WELFARE DEPARTMENT TO DETERMINE THE ELIGIBILITY OF MY CHILDREN FOR AID TO NEEDY CHILDREN.

_____
DATE

_____
SIGNATURE OF FATHER

SECTION II. COUNTY'S STATEMENT REGARDING FATHER (TO BE SUBMITTED TO PHYSICIAN BEFORE EXAMINATION)

A. NAME _____ AGE _____

B. ADDRESS _____

C. WORK HISTORY:

1. FATHER'S USUAL OCCUPATION _____

2. LENGTH OF TIME SINCE HE HAS BEEN ABLE TO FOLLOW IT _____

3. TYPE OF WORK, IF ANY, HE HAS DONE SINCE ONSET OF PRESENT ILLNESS _____

4. IF FATHER BELIEVES HE CAN UNDERTAKE WORK REQUIRING LIMITED PHYSICAL EFFORT, INDICATE TYPE OF WORK _____

5. FATHER'S EXPRESSED INTEREST IN A VOCATIONAL REHABILITATION TRAINING PROGRAM _____

Form CA 240, Revised December 1948

(Section Continued on Next Page)

198-00 (Continued) 198-00

Eligibility shall be determined on the basis of the father's estimated ability to earn except when he is actually earning more than his share of the family budget or more than enough to care for his needs, if living outside the home. (W&IC 1500, 1560)

Example A: The physician reports that the father can work 4 hours a day. The wage for employment is 50¢ an hour. The estimated monthly earnings would therefore be $48 a month, which exceeds the father's share of the budget. The father is actually working only 2 days a week and his actual earnings are less than his share of the family budget. The case is ineligible on the basis of the father's estimated earnings as based on the physician's report.

Example B: The physician reports that the father can work 2 hours a day. The wage for employment is 35¢ an hour. The estimated monthly earnings would therefore be $16.80, which is less than the father's share of the family budget. The father is actually working 1 hour a day and his actual earnings are only $8.40. Case is eligible on the basis of the father's estimated earnings as based on physician's report.

Example C: Physician reports father can work 2 hours a day. Wage for employment 35¢ an hour, estimated monthly earnings $16.80, which is less than father's share of family budget. The father is actually working 4 hours a day and his actual earnings are $33.60 per month which exceed his share of the family budget. Case is ineligible on the basis of the father's actual earnings.

(Section Continued on Next Page)

198-00 (Continued) 198-00

STATE OF CALIFORNIA DEPARTMENT OF SOCIAL WELFARE

FORM CA 240A

CASE NAME _____

STATE NO. _____

COUNTY NO. _____

☐ CIF ☐ TBF

GAINFUL EMPLOYMENT DETERMINATION (TO BE COMPLETED BY COUNTY WORKER)

SECTION I. INTERPRETATION OF PHYSICIAN'S REPORT ON FORM CA 240

A. IF D IS "NO" (REGARDLESS OF ANSWERS UNDER QUESTION F-2)--INELIGIBLE (APPLICABLE ONLY TO CIF)

B. IF F-2-a-1 IS "YES"--INELIGIBLE (UNLESS THE PHYSICIAN RECOMMENDS A TRAIL WORK PERIOD OR REHABILITATION PLAN)

C. IF F-2-a-2 IS ANSWERED--WORKER SHALL ESTIMATE BELOW EARNINGS ON THE BASIS OF THE NUMBER OF HOURS AND DAYS INDICATED AND THE PREVAILING WAGE FOR TYPE OF WORK (UNLESS THE PHYSICIAN RECOMMENDS A TRAIL WORK PERIOD OR REHABILITATION PLAN)

D. IF F-2-b-1 IS "YES"--INELIGIBLE (UNLESS THE PHYSICIAN RECOMMENDS A TRAIL WORK PERIOD OR REHABILITATION PLAN)

E. IF F-2-b-2 IS ANSWERED--WORKER SHALL ESTIMATE BELOW, EARNINGS ON THE BASIS OF THE NUMBER OF HOURS AND DAYS INDICATED AND THE PREVAILING WAGE FOR TYPE OF WORK (UNLESS THE PHYSICIAN RECOMMENDS A TRIAL WORK PERIOD OR REHABILITATION PLAN)

SECTION II. COMPUTATION OF THE FATHER'S EARNINGS (ESTIMATED AND/OR ACTUAL) AND THE FATHER'S NEEDS

A. FATHER'S EARNINGS (ESTIMATED AND/OR ACTUAL)

1. IF THE FATHER, ACCORDING TO PHYSICIAN'S REPORT, IS ABLE TO UNDERTAKE ANY EMPLOYMENT, COMPLETE THE FOLLOWING:

PREVAILING WAGE _____ PER HOUR NUMBER OF HOURS ABLE TO WORK _____ PER MONTH ESTIMATED EARNINGS _____ PER MONTH

AND/OR

2. IF THE FATHER IS ACTUALLY WORKING, COMPLETE THE FOLLOWING:

ACTUAL EARNINGS _____ PER MONTH

B. FATHER'S SHARE OF FAMILY BUDGET, IF LIVING IN HOME $_____, OR, FATHER'S NEEDS, IF NOT IN HOME $_____

(NOTE: IF THE ESTIMATE OF THE FATHER'S EARNINGS, ON THE BASIS OF THE PHYSICIAN'S DETERMINATION OF THE NUMBER OF HOURS HE CAN WORK, EXCEEDS HIS SHARE OF THE FAMILY BUDGET, OR HIS NEEDS, IF LIVING OUT OF THE HOME, CASE IS INELIGIBLE EVEN THOUGH THE FATHER IS ACTUALLY WORKING LESS THAN THE NUMBER OF HOURS INDICATED BY THE PHYSICIAN.)

SECTION III. DETERMINATION OF ELIGIBILITY

ON THE BASIS OF THE PHYSICIAN'S REPORT AND/OR THE ABOVE INFORMATION THE CHILDREN OF _____ NAME OF FATHER

ARE _____ ELIGIBLE _____ INELIGIBLE FOR AID TO NEEDY CHILDREN UNDER THE ____ CIF ____ TBF CLASSIFICATION

_____ DATE

_____ SIGNATURE OF COUNTY WORKER

Form CA 240A
December 1948

198-00 (Continued) 198-00

Reverse of Form CA 240

SECTION III. PHYSICIAN'S REPORT (TO BE FILLED IN BY THE EXAMINING PHYSICIAN)

A. DIAGNOSIS: _____

B. IF TREATMENT IS INDICATED, WHAT ARRANGEMENTS HAVE BEEN MADE FOR CARE? _____

1. WHEN SHALL PATIENT RETURN FOR TREATMENT? _____

2. IF ADMITTED TO A SANATORIUM OR HOSPITAL, GIVE NAME OF FACILITY AND DATE OF ADMISSION _____

C. IF PATIENT IS NOT IN A HOSPITAL OR SANATORIUM, WHEN SHOULD HE BE REEXAMINED FOR PURPOSES OF DETERMINING POSSIBLE CHANGE IN CONDITION? GIVE DATE OF RECOMMENDED REEXAMINATION _____

D. IN YOUR OPINION HAS THE PATIENT A PERMANENT DISABILITY? (DO NOT COMPLETE IF DIAGNOSIS IS TUBERCULOSIS.) Yes ( ) No ( )

E. WOULD YOU ADVISE A VOCATIONAL REHABILITATION TRAINING PROGRAM? Yes ( ) No ( )

F. EMPLOYABILITY

1. BEFORE MAKING A STATEMENT ON THE EMPLOYABILITY OF THIS PATIENT DO YOU RECOMMEND A TRIAL WORK PERIOD OF 90 DAYS IN ORDER TO DETERMINE HIS PHYSICAL ABILITY TO WORK? Yes ( ) No ( )

2. IN YOUR JUDGMENT AND AS FAR AS IT IS POSSIBLE TO ASCERTAIN AT THIS TIME, IS PATIENT PHYSICALLY ABLE TO:

(A) RETURN TO HIS FORMER EMPLOYMENT OR WORK REQUIRING EQUAL EFFORT? Yes ( ) No ( )

(1) FULL TIME? Yes ( ) No ( )

(2) IF NOT FULL TIME, HOW MANY HOURS PER DAY? _____ HOW MANY DAYS PER WEEK? _____

(B) DO LIGHT WORK? (Answer only if (A) not applicable) Yes ( ) No ( )

(1) FULL TIME? Yes ( ) No ( )

(2) IF NOT FULL TIME, HOW MANY HOURS PER DAY? _____ HOW MANY DAYS PER WEEK? _____

G. MEDICAL RECOMMENDATION TO COUNTY WELFARE DEPARTMENT? _____

_____ DATE OF EXAMINATION

_____ SIGNATURE OF PHYSICIAN

(Section Continued on Next Page)

198-30 PAYMENT FOR PRIVATE PHYSICIAN'S EXAMINATION OF FATHER - CIF AND TBF CLASSIFICATIONS ANC **198-30**

If an examination of the father to determine eligibility under the CIF and TBF classifications is made by a private physician, the county may claim federal participation in the payment for examinations in the following cases:

1. The first examination to establish initial or continued eligibility.

2. A second or third examination resulting from:

   a. The applicant's or recipient's dissatisfaction with the first or second examination

   b. The county's decision that further medical opinion be secured

   c. The SDSW's recommendation that further medical opinion be secured.

3. Subsequent examinations if ordered by the SDSW.

See Sec. 645-02, Expenditures for Purposes of Administration. (WIC 1500, 1560)

198-20 SECURING MEDICAL REPORTS FROM THE VETERANS' ADMINISTRATION 198-20
ANC

When the father is hospitalized in a Veterans' Administration facility, eligibility in so far as the father's condition is concerned may be established by a Form CA 240, Physician's Report of Examination, completed by a physician on the basis of his review of medical information obtained by the county from the Veterans' Administration. Under the regulations governing the Veterans' Administration, the medical staff is not permitted to make statements regarding the degree or permanence of incapacity and it is, therefore, not possible for them to furnish the information required on the Form CA 240. However, medical information will be released in letter form by the Veterans' Administration to the county welfare department on receipt of a signed consent of the veteran on the Veterans' Administration Form 3288 "Request for and Consent to Release of Information from Claimants' Records." (Copies of this form may be secured through local Veterans' Administration offices.) Requests to the Veterans' Administration for medical information should be directed to the manager of the appropriate hospital marked "Attention Social Service."

In securing medical reports from the Veterans' Administration the county should specifically request that the following information be furnished: Date of admission, diagnosis, relative medical history and findings, a report of significant x-ray and laboratory findings, complications, and probable date of discharge. On the basis of the medical information furnished by the Veterans' Administration the local physician may feel qualified to complete the Form CA 240.
(W&IC 1500, 1560)

235-75 VERIFICATION OF INCAPACITATED FATHER CLASSIFICATION 235-75
ANC

Eligibility under the classification of child of incapacitated father (CIF) shall be established in accordance with Sec. 196-00, Classification of Child of Incapacitated Father (CIF). When there is any indication that the father is able to work or is working, there shall be a clear determination in the case record that the father is not in fact gainfully employed or able to be gainfully employed in accordance with Sec. 196-00. (W&IC 1500, 1560)

235-70 VERIFICATION IN TUBERCULOUS FATHER CLASSIFICATION ANC 235-70

Incapacity of a father due to tuberculosis (TBF) shall be established in accordance with Sec. 195-00, Classification of Child of Tuberculous Father (TBF). The county case record shall clearly indicate that the father is not in fact gainfully employed or able to be gainfully employed in accordance with Sec. 195-00. (W&IC 1500, 1560)

351-60 (Continued) 351-60

When aid is granted under the PCI classification, the parent's presence in the institution or his status such as parole, discharge, or escape therefrom shall be verified. (See Secs. 193-30, Classification of Half-Orphan, Parent Committed to Institution, (PCI) and 235-55, Verification of Half-Orphan, Parent Committed to Institution Classification.)

When aid is granted under AF, Illeg., or Abd. Classification, eligibility from the standpoint of classification is a continuing process. All clues concerning the parent's whereabouts must be followed up and every effort must be made to locate the parent, parents or alleged father and to place responsibility. This does not apply to children declared abandoned by the court.

When aid is granted under the Absent Father classification, continuous eligibility must be determined in accord with rules and regulations governing this classification. (See Secs. 193-15, Classification of Half-Orphan, Absent Father, and 235-45, Verification of Half-Orphan, Absent Father Classification.)

When a change in classification occurs, eligibility under the new classification shall be established in accordance with the requirements for that classification; e.g., a change from TBF to whole-orphan classification. (See Chapter 190-00, Classification for Eligibility Requirements.) (W&IC 1500, 1501, 1560)

351-60 REINVESTIGATION OF CLASSIFICATION ANC

351-60

The county shall determine whether there has been any change in the basis for the classification of a child receiving ANC and the date of such change, if any.

When aid is granted under the TBF or CIF classification, aid may not continue beyond the due date of the annual reinvestigation without a physician's report establishing continuing eligibility with the following exceptions.

1. When unsettled conditions in a foreign country make it difficult to secure medical reports on the incapacitated or tuberculous father, aid may be continued beyond the due date of the annual reinvestigation without the required medical form when the disability may reasonably be expected still to exist.

   Example A: The case record contains medical reports and other evidence showing that the father has a serious heart condition and he has been declared permanently incapacitated (or that the father has advanced tuberculosis). Letter from the father or relatives to his family indicates his condition has not improved and activity continues to be limited. Under such circumstances it may reasonably be expected that his disability still exists.

2. When the record indicates that the county has shown due diligence in an effort to secure the medical report and there is reason to believe the disability still exists, aid may be continued beyond the due date of the annual reinvestigation for a period not to exceed 90 days.

   Example B: It is known to the county over considerable period that the incapacitated father (or the tuberculous father was living with his parents. At time of reinvestigation it is learned that he left this home and has gone to Arizona to be with his sister. Aid continues for a period not to exceed 90 days beyond the date of annual reinvestigation to enable the county to secure the necessary medical report.

3. Under the CIF classification when the original physician's report indicates permanent incapacity which prevents the father from engaging in any occupation and the record consistently indicates that his physical condition is unchanged.

   Example C: The father had been declared permanently incapacitated after an injury which resulted in a paralysis. The father is bedfast and the physician reported that no improvement could be expected. The worker sees the father during home visits and other members of the family report on the father's condition at different times. All of this information is noted in the case record and indicates the father's condition remains unchanged.

(See Secs. 195-00, Classification of Child of Tuberculous Father (TBF), 196-00, Classification of Child of Incapacitated Father (CIF), 198-00, Instruction for Completion of Physicians Report of Examination (TBF & CIF), Form CA 240, and Gainful Employment Determination, Form CA 240-A, and 197-00, Employment in TBF and CIF Classification.) (W&IC 1500, 1501, 1560)

(Section Continued on Next Page)

TITLE 22-CH 2

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
(2)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 31, 1948

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
in the office of the Secretary of State
of the State of California

DEC 31 1948
At 3 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By Frank M. Jordan
Assistant Secretary of State

IN REPLY PLEASE REFER TO:

My dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare with Adoption Manual Letter No. 12.

These regulations were adopted by the State Social Welfare Board on December 17, 1948 pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

These regulations were adopted by the State Social Welfare Board to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

C M Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare

468:b5
Attachments

TITLE 22 - CH 2

Certified as a Regulation (or Regulations) of the

Dept of Soc. Wel

(Name of State Agency)

C W Wattenberg

(Signature)

Director

(Title)

12-31-48

(Date)

CHARLES M. WOLLENBERG
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 30, 1948

126

ADOPTION MANUAL LETTER NO. 12

The attached revisions numbered 61 through 68 are to be entered in your copy of the Adoption Manual and revision numbers canceled in the place provided on the inside of the manual cover.

These revisions were approved by the Social Welfare Board on December 16, 1948, and are effective February 1, 1949.

Sec. 2105-00 has been rewritten to give revised instructions for the recommendation of denial to the court.

Sec. 2118-00 has been revised to provide for reporting to the court parents' refusal or withdrawal of consent.

Sec. 2275-00 as revised includes additional instructions for taking consents.

Sec. 2370-00 now gives more detailed instructions on interviewing the natural parents.

Sec. 2475-00 as rewritten clarifies existing instructions on supervision after placement.

Revised Sec. 2480-00 changes the procedures for the submission of material to the SDSW.

FILED
in the office of the Secretary of State
of the State of California

DEC 31 1948

At 3 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By Robert E. Jordan
Assistant Secretary of State

2110-00 TYPES OF COURT REPORTS - INDEPENDENT ADOPTIONS 2110-00

(For complete report, see Sec. 2105-00)

A. A recommendation of approval shall be made when it is determined that the child is a proper subject for adoption and that the home is suitable for the child.

B. A recommendation of denial shall be made in every case in which the investigation during the 180-day period or extension of time fails to establish that the child is a proper subject for adoption or that the proposed home is suitable for the child. This shall include the following situations in which the child is too young for adequate testing:

1. When nothing is known of one natural parent, and the investigation establishes that the other natural parent is of low intelligence;

2. When it is not possible to obtain adequate information on either of the natural parents. This would always apply in the case of a foundling or an abandoned child and in those cases in which the attorney may be using the abandonment procedure to avoid having the parents interviewed.

In both instances, final determination that the child is a proper subject for adoption shall be made only after complete physical and psychometric testing.

Because of the feeling of some petitioners and attorneys against denials, a recommendation of denial without prejudice to the petitioners may be made if the investigation has been completed and the adoption appears socially desirable, but there is some obstacle, which cannot be cleared at the time. When the obstacle is finally cleared, a supplementary report recommending approval may be filed.

When there is to be a recommendation of denial, it should be discussed with the attorney in ample time to allow him to file a dismissal before the report is due, if he prefers to do so rather than have an adverse report filed.

C. A conditional recommendation of approval may be made when a legal determination is involved. It shall never be used, however, in order to escape responsibility for a definite decision when the matter is one involving judgment. Conditional recommendations may be made in the following instances:

1. When the child has been awarded to the mother by judicial decree and the father has willfully failed to contribute to its support for the period of one year when able to do so.

   (a) If the petition alleges that the father's consent will be eliminated by court determination under Sec. 224, Civil Code, as having willfully failed to contribute when able; or

   (b) If copy of the citation (either for personal service or by publication) is submitted by the attorney.

(Section Continued on Next Page)

2105-00 COURT REPORT - INDEPENDENT ADOPTIONS 2105-00

The State Department of Social Welfare or county adoption agency is required to submit to the court a full report of the facts disclosed by its inquiry, with a recommendation regarding the granting of the petition. The final report should be a concise summary of all the facts pertinent to the adoption. (Sec. 226, Civil Code)

A. Purpose of the Report

"The purpose of the report to the court is to supply the judge with factual information so interpreted that he may have a clear but unbiased understanding of the entire situation surrounding the proposed adoption to assist him in making his decision." From the report the court may have the benefit of this factual information, in addition to the examination of the parties in court, on which to base a decision as to granting the petition. The report to the court, therefore, is one of the most important parts of the adoption procedure.

B. Content of the Report

1. A statement of the pertinent facts disclosed by the investigation. (See Sec. 2118-00, Outline for Court Report - Independent Adoptions)

2. A statement of findings as to the adoptability of the child.

3. A statement of findings as to the suitability of the home for the child.

4. Recommendations as to the granting of the petition.

   (a) If the recommendation is that the petition be granted, the parents' consents in the possession of the agency shall be attached to the report and there shall be a statement that the Department or county adoption agency has accepted the parents' consents, or that it consents.

   (b) If the recommendation is that the petition be denied although the parent has consented, the recommendation should show only the reasons for denial and should make no reference to the consent. The section on consents should show that the consent of the parent was signed in the presence of an agent or notary, as the case may be, on a given date. The consent shall be attached to the report.

   If the parent has refused to consent, has withdrawn consent, or has notified the State Department of Social Welfare or county adoption agency of withdrawal, the consent section shall state the facts, and the refusal, withdrawal, or notification of withdrawal shall be attached to the court report. The original consent which was signed but later withdrawn shall not be submitted to the court.

   If the consent of the State Department of Social Welfare or county adoption agency is necessary, the recommendation shall show the reasons for denial and shall state that it refuses to consent.

(d) A statement that the parents willingly signed the consents attached.

3. If the parents have refused to consent, or have withdrawn consent, a statement that the parent has notified the State Department of Social Welfare or county adoption agency of his or her unwillingness to have the adoption completed.

4. Although consent of a guardian or of the Juvenile Court when the minor is a ward of the court, is not necessary, it is advisable to include a statement of their attitude toward the adoption.

5. When action is necessary to eliminate consent of parents in accordance with Sec. 224, specify type of action to be taken, date action filed and month of action.

6. If the consent appears inadequate, a statement should be included, pointing this out and presenting the question of validity for the court's consideration.

7. A statement that the SDSW or county agency gives its consent to an adoption when:

(a) The consent has been signed out of the state.

(b) There are no parents to consent.

F. Summary

This can be a brief statement, but it should give the basis for the recommendation, with an evaluation of the advantages or disadvantages of the adoption. If there is to be a recommendation of denial or a conditional approval, the reasons must be stated.

G. Recommendation

1. Approval

(a) If the child is found to be a proper subject for adoption and the home suitable, the recommendation should be made without reservation.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the minor is a proper subject for adoption and that the home of the petitioner is suitable. It therefore accepts the consent of the natural mother, (or parents), consents to the adoption (if SDSW consent necessary), and recommends that the petition of _____ for the adoption of _____ be granted."

(Section Continued on Next Page)

2118-00 (Continued) 2118-00

5. Financial situation:

(a) Home, location, owned or rented, value of equity, payments.

(b) Income (verified), including occupation of man petitioner and woman petitioner (if employed), where employed, and length of employment.

(c) Insurance and savings; if none, reason why.

(d) Other property or resources.

(e) Debts and financial obligations, if any. Debts should be listed only if they are of sufficient importance to cloud suitability of the home.

6. Adjustment of minor and petitioners.

7. References' evaluation of the petitioners. Names of references need not be given in the report.

8. Attitude of petitioners in questionable cases:
Where there is no verified information regarding the minor's background for either (or both) parent, or where information obtained shows undesirable background, but petitioners wish to proceed with the adoption, a statement shall be included to that effect. This should include the statement that all the known facts and/or lack of information regarding the minor have been discussed with the petitioners, who have expressed their desire to consummate the adoption and are willing to assume responsibility for the minor regardless of future developments. In cases of this type, reports from state hospitals or institutions may be attached as exhibits.

E. Consents

1. Legal status of parents as substantiated by facts.

2. If the parents consent, give attitude toward the adoption. This should include:

(a) A statement as to whether the mother has met the petitioners and is satisfied, or has not met them and is satisfied with what she has been told.

(b) The mother's statement as to whether she was influenced in giving her consent by payments or gifts from petitioners.

(c) If there is a difference in religion, a statement should be included as to her willingness to have the child in a home of a different faith or reared in a different faith.

(Section Continued on Next Page)

2275-00 TAKING CONSENT OR RELINQUISHMENT 2275-00

A. Consent

1. To be Signed After Filing Petition

Since the department or the county adoption agency has no jurisdiction until the petition has been filed, consent should not ordinarily be signed before notification of the pendency of the action is received from the county clerk. Consent properly executed by a parent who is outside the state at the time of signing may be filed with the petition. Circumstances of an individual case may warrant an exception.

2. Not to be Signed in Hospital

The consent of the natural mother shall never be witnessed by an agent of the department or county adoption agency while the natural mother is still in the hospital or maternity home after confinement for the birth of her child. The mother should have sufficient time to recover physically and emotionally from the experience of childbirth before making her decision and signing the consent.

3. Relationship to Investigation

There is no legal requirement regarding the time at which a consent shall be taken during the investigation. When it is possible, however, a sufficient investigation of the case should be made to determine the advisability of the adoption before the consent is signed. It will sometimes be necessary to take the consent from the natural parent or parents before the investigation is begun or very early during it.

4. Process and Discussion

It should be explained to the parents that the taking of consent by the State Department of Social Welfare or county adoption agency does not necessarily mean that it will approve the adoption; that it will be approved only if the investigation indicates that the adoption is for the child's best interests; that it is necessary for the parents to keep in communication with the department or county adoption agency in order that any circumstance which may develop or any information obtained by the agency which might influence the parents' decision may be discussed with them.

It should be made clear to the parents that neither their rights to, nor responsibilities for, the child are terminated by signing consent.

(Section Continued on Next Page)

2260-00 (Continued) 2260-00

C. In an agency adoption the relinquishment to an adoption agency shall be of no effect whatsoever until a certified copy is filed with the State Department of Social Welfare, after which it may be rescinded only by the mutual consent of the parties. (Sec. 224m, Civil Code)

If there is question of the child's adoptability, the agency may postpone filing the relinquishment with the State Department of Social Welfare until a determination of adoptability can be made.

2265-00 WITHDRAWAL OF CONSENT OR RELINQUISHMENT 2265-00

A. In Independent Adoptions

The natural mother of an illegitimate child and either natural parent or both of a legitimate child may withdraw their consent to the adoption of their child at any time before the actual issuance of the order of adoption by the court. (See Forms Adop M30, Withdrawal of Consent (illegitimate) and Adop M31, Withdrawal of Consent (legitimate).

B. In Agency Adoptions

The relinquishment to the agency does not become final and binding until it is filed with the State Department of Social Welfare, and may be withdrawn at any time prior to the filing. After it is filed with the SDSW it may be rescinded only by the mutual consent of the parties.

2270-00 CONDITIONAL OR PROVISIONAL CONSENT OR RELINQUISHMENT 2270-00

A. Consent

Every consent is actually conditional at the time it is signed, dependent on the results of the investigation and the recommendation of the SDSW or county adoption agency and on the parents' continued willingness to have the adoption completed. It may contain no conditional provisions, however, for retaining any rights by the parents after the adoption is consummated.

B. Relinquishment

When relinquishment of a legitimate child is not taken from both parents at the same time, it should be made clear to the parent signing first that the relinquishment will not be accepted as valid until the child is also relinquished by the other parent or proper action in lieu of relinquishment is completed.

2290-00 SOLE CUSTODY CONSENT OR RELINQUISHMENT 2290-00

The statement of the person signing consent or relinquishment that she is entitled to sole custody of the child is prima facie evidence of the right of the person to the sole custody of the child, and such person's sole right to consent or relinquish. It is not conclusive evidence of that fact, however, and may be refuted by other verified information.

When there is a presumptive father or more than one presumptive father of the child, consent or relinquishment, as the case may be, must be obtained from the presumptive father or fathers unless a court order is obtained refuting the presumption of legitimacy.

When there is no consent or relinquishment from the presumptive father or fathers and no court action has been taken to refut the presumption of legitimacy, a recommendation of approval can not be given. Procedure in such cases will be as follows:

A. In an independent adoption as soon as the investigation indicates that there may be a question regarding the legal status of the child and that the mother desires to consent as having sole custody, there shall be an immediate clearance with the attorney calling to his attention the necessity for some action to clear parental relationship. The advantage of having this determination precede the final report shall be discussed with him, i.e., that there be no delay or possible cloud on the adoption. It is also important to have this discussed at an early point in the investigation, as only the mother or father may question the parental relationship and the attorney will wish to take action while the parent is available. (AG) 7948, NS 3778)

   It is preferable that a copy of the court order determining paternity or overcoming the presumption of legitimacy be submitted before the final report is filed so that a definite recommendation of approval can be made by the Department or county adoption agency.

   If such an order has not been obtained, however, conditional approval may be given in the court report if the attorney states that he will have a hearing on the question prior to the adoption hearing and the facts disclosed by the investigation by the Department or county agency support the mother's claim that she is entitled to sole custody.

B. In an Agency Adoption the child should not be placed in an adoptive home until it is legally free for adoption.

2275-00 (Continued) 2275-00

Consent should not be signed unless the parent is giving full and free consent to the adoption. If the parent seems to be in doubt, the agent should suggest that she take further time to make up her mind before signing. While the consent may be withdrawn by the parent prior to the court order granting adoption, the agent should help the parent recognize that in fairness to all parties the execution of the consent should represent as nearly as possible a final decision.

B. Relinquishment

Relinquishment should be taken only after the mother has had time to recover physically and emotionally from her confinement, and when possible, by the worker who has established a relationship with her.

Before relinquishment is signed by the parent or parents the agency shall explain to them the nature of the relinquishment and its finality when it is once filed with the SDSW, but they should be informed that they may change their decision at any time prior to the filing, and that the agency may also change its decision to accept relinquishment.

2280-00 REFUSAL TO CONSENT OR RELINQUISH 2280-00

1. Independent Adoption

The parent or parents of a child who are unwilling to consent to its adoption may sign a formal refusal to consent, witnessed by an agent of the Department or county adoption agency (Form Adop M20, Adop M23). This is not a requirement, however, and the parent or parents' signed statement in a letter or otherwise, or a verbal statement to the agent of the department or county adoption agency may be accepted as evidence of unwillingness to consent to the adoption.

2. Agency Adoption - (Relinquishment)

No formal refusal to relinquish a child is necessary. The parent entitled to custody of the child may refuse to accept agency service and may remove the child from care at any time.

2285-00 FAILURE OR REFUSAL TO ACCEPT CONSENT - INDEPENDENT ADOPTION 2285-00

If for a period of 180 days from the date of filing the petition, or upon the expiration of any extension of time granted by the court, the Department or the licensed county adoption agency fails or refuses to accept the consent of the natural parent or parents to the adoption; or if the Department or agency fails or refuses to file or give its consent to an adoption in those cases where its consent is required, either the natural parent or parents or the petitioners may appeal from such refusal to the Superior Court of the county in which the petition is filed. (Sec. 226, Paragraph 9, Civil Code)

2370-00 (Continued) 2370-00

feeblemindedness, tuberculosis, diabetes, eczema, or allergies, commitments to State or private hospitals or prisons (secure details).

Some discussion of family life, social problems, if any; whether they were known to an agency; mother's relationship to her family, past and present.

Which relatives know about the child? Would the mother permit discussion of plans with relatives? Did any participate in planning for adoption?

5. Health: Physical and mental, including institutional records, if any. Usual health and any history of unusual illness, physical, mental or nervous disorders. Information should be obtained regarding medical care received by the mother and record of physician's examinations, laboratory tests for venereal diseases, tuberculosis, etc., if any. Name and address of present physician. Name and address of doctor attending the birth of the child; statement of health during pregnancy and delivery; prenatal care.

6. Religion: Church membership, if any. If no active religious connection, what was background or former training; preference for religious training of child.

7. Marriages and dissolutions: Secure names of spouses, date and places of marriages; date, place and nature of dissolution; if divorce, separation, or annulment, what is reason given by mother. Mother should be told that it will be necessary to verify information given regarding marriages and dissolutions.

8. Children: Other than child being adopted. Secure names, dates, and places of birth; present address; if not with mother, what plans did she make for them; education; if in school, name of school, grade; developmental history--was it usual; if retarded in walking, talking, etc., record and give mother's explanation; health--any unusual illness; occupation, if employed. Do they know about the child who is being adopted?

9. Child to be Adopted: Name as given on birth certificate and other names used. Place of birth, date of birth; name of hospital where born; if not born in hospital, give address. If child not placed at birth, give history of development to the time of placement. Did mother care for child or what was plan for care? Health history; i.e., congenital diseases, childhood diseases, immunization.

10. Placement: Date made, was it continuous? If interrupted, explain. When was plan for placement made? Why was placement made? Were other plans considered? Did mother know about adoption agency services? Did she reject them and why? Who assisted in making

(Section Continued on Next Page)

2370-00 (Continued) 2370-00

If the child has been previously adopted, information regarding the natural parents shall be obtained from the adoptive parents and from the court and agency records which are available. The adoptive parents shall be interviewed for information on the development of the child, his adjustment in their home, and the reason for the second placement.

B. Timing and Number of Interviews

Where possible, the petitioners should be interviewed prior to the interview with the natural parents, as the parents may wish information regarding the petitioners, and the care the child is receiving in their home before making a decision as to their consent to the adoption. If it has not been possible to interview the petitioners prior to the interview of the natural parent, the agent shall ascertain whether the parents wish to be contacted again after the investigation is completed. It shall be made clear to the parents that should the investigation reveal information which might influence their decision to consent or which would result in a recommendation of denial by the State Department of Social Welfare or county adoption agency, they will be contacted.

C. Content of the Interview

The interviews with the parents should cover the following information. The outline which is also issued as Form Adop M67, "Information Concerning Parent of Child to be Adopted," covers the same information and may be used as a guide during the interview and in recording. In some instances all the information may be obtained in one interview but in other instances several interviews may be necessary before all points are covered.

1. Introduction: Date, persons interviewed, place of interview.

2. Mother: The agent should secure the present name, maiden name and any aliases; the usual and present address of the mother. She should also record a brief description of the mother, showing height, weight, color of eyes, color of hair and general coloring. She should also give a brief statement of the mother's personality, temperament and general impression created.

3. Background: Date and place of birth, nationality descent, education (if age at completion of grade or high school deviates markedly from the usual age at completion, agent should discuss reasons), employment or employment history, special talents, hobbies and aptitudes which might be of interest to the petitioners.

4. Relatives: Mother, father, siblings: Secure names, addresses, education, health, occupation—present and usual (also discuss briefly mother's grandparents, uncles and aunts, to show educational and occupational pattern for family). Any history of unusual illness, physical or mental, or nervous defects, epilepsy,

(Section Continued on Next Page)

2470-00 (Continued) 2470-00

Understanding and agreement that the agency may remove the child for cause at any time prior to completion of the adoption.

2475-00 SUPERVISION AFTER PLACEMENT FOR ADOPTION 2475-00

There shall be a supervised period of one year between placement and final adoption. This time may be shortened only upon written approval of the State Department of Social Welfare.

The purpose of this year of supervision is to allow a trial period during which the agency can evaluate the placement and decide whether it should become permanent or whether the child should be removed. It also provides an opportunity for the foster parents to have the experience of parenthood before making their final decision to assume legally all its rights and responsibilities.

In making its evaluation the agency will observe the child and his physical, mental, and social development. It will require periodic medical examinations and psychometric and psychiatric examinations when needed. It will observe the relationships and interrelationships in the home between the child, the foster parents, any other children, and other members of the household and family; the acceptance of the child by the family; the capabilities of the foster parents as parents; their understanding of the child and ability to meet his needs.

It will also keep informed of any changes in the adoptive home, such as marital status, social changes, health, employment, members of the household, and housing.

The agency, through its supervisory relationship to the parents while sharing with them responsibility for the care of the child, will be able to give them help and support during the time of initial adjustment as problems may develop. The supervisory visits should be a constructive experience for the parents preparing them for the time when the agency will relinquish full responsibility to them.

The frequency of the supervisory visits to the home by the agency shall be determined by the circumstances of each case and the discretion of the agency, but in no instance shall there be less than one visit each quarter. At least two visits shall be made when all the family members are at home.

2470-00 (Continued) 2470-00

The racial background and nationality background of the adopting parents and the child shall be similar.

The religious faith of the adoptive parents and of the child, or the child's parents shall be the same. If there is a difference in the religious faith, placement shall be made in accordance with the expressed wishes of the parents.

The personality, temperament, education, intelligence and cultural level, stature and coloring of the adopting parents shall be considered in relation to the personality, temperament, physical appearance, coloring, cultural background and potential mental ability of the child.

Children with special handicaps of a physical nature or related to personality or behavior, and those whose heredities suggest that problems may arise, should have homes selected with additional consideration of whether the adopting parents thoroughly understand and accept the child's condition and are able to meet his needs.

Children of the same family shall be kept together whenever possible unless it has been determined that this is not beneficial.

If two or more homes that are equally suitable for the child are considered, priority shall be given in order of filing of application. When the agency has offered a particular child to adopting parents and after discussion of all factors the adopting parents reach a decision to not accept the child, the agency shall make it clear that further consideration for another child will be given.

The agency shall maintain a list of approved homes sufficiently large to provide a wide basis of choice in selecting the home which will best meet the needs of the individual child.

B. Placement shall be based on the following:

1. All necessary relinquishments have been obtained and filed with the State Department of Social Welfare.

2. It has been determined by proper tests and examinations that the child is adoptable, and the study of the child has been completed. A thorough study of the prospective adoptive parents has been completed and the application has been approved.

   Preparation of the child for placement. (See Sec. 2530-00)

   Preparation of the adoptive parents for placement. Complete information concerning the health, mentality, personality, talents, and social background of the natural parents and the results of the study of the child shall be given to the adoptive parents. Identifying information such as names of natural parents need not be given. (See Sec. 2550-00)

(Section Continued on Next Page)

2490-00 REQUIREMENTS APPLICABLE TO COUNTY ADOPTION AGENCIES ONLY 2490-00

A. Placement of Relinquished Children

The county agency shall accept for service in the adoption program only children living in the county of application at the time of requesting service.

Ordinarily the agency shall place children relinquished to it only in approved homes in that county, but under certain circumstances it may be desirable for the child to be placed in another county or area of the state. In those instances placement may be arranged through a state-wide adoption agency or another county adoption agency. These cases shall be cleared through the State Department of Social Welfare.

The county agency shall accept applications only from individuals who are residents in that particular county.

The State Department of Social Welfare will maintain a central file of applications and of approved homes in order to: (1) avoid duplication of investigation of applicants moving from one county to another and to provide state-wide information obtained in investigation by all agencies; (2) give the agency the benefit of information already on file in the State Department of Social Welfare regarding previous applications or petitions for adoption; and (3) provide an active list of approved homes which can be used for children who for some particular reason should not be placed in their own county.

B. Investigation of Independent Adoptions

The agency shall have responsibility for the investigation of independent adoption petitions filed in that county and referred by the State Department of Social Welfare, and shall give reciprocal service on adoption cases to the State Department of Social Welfare or other county adoption agencies.

2480-00 MATERIAL TO BE SUBMITTED TO STATE DEPARTMENT OF SOCIAL WELFARE 2480-00

A. Case Material Regarding the Relinquishment Program

1. The Child

(a) Notice of acceptance of child for initial study.

(b) Notice of taking relinquishment giving name of child, name of parent signing, and date signed, and in the case of a public agency, the date on which it estimates reimbursement for cost of care should begin.

(c) A certified copy of the relinquishment accompanied by family history sheet on the child.

(d) Notification of placement which shall show the name of the child placed, date of placement, and the names of the couple with whom the child is placed.

(e) At the conclusion of the supervisory period, a final summary and evaluation of the adoption placement to be submitted as the basis for the agency's recommendation of approval.

(f) In all instances where a child is accepted for care but not placed for adoption, the agency shall submit a family history sheet on the child, including a brief statement of the reason for termination of care.

2. Applicants

(a) Notice of application. If the application is rejected at the initial interview and before formal application is filed, the agency shall submit a copy of the preliminary statement with a notation of the reason for rejection.

(b) Notice of action on adoption application, accompanied by a copy of the application.

B. Statistical Reports

The agency shall furnish such statistical information and reports as the State Department of Social Welfare shall require.

C. Action by State Department of Social Welfare on Material Submitted

1. Acknowledge receipt of relinquishment.

2. Notify the agency of cross reference material.

3. Issue its waiver and approval following receipt of necessary documents and information.